

MSA.S.1829-5837

Comments KLS
7/18/06

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Variance Comments
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Buffer Mgr. Plan
Comments
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AMP MK
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MK
12/19/08

NL

12/22/08

Martin O'Malley
Governor

Anthony G. Brown
Lt. Governor



Margaret G. McHale
Chair

Ren Serey
Executive Director

**STATE OF MARYLAND
CRITICAL AREA COMMISSION
CHESAPEAKE AND ATLANTIC COASTAL BAYS**

1804 West Street, Suite 100, Annapolis, Maryland 21401
(410) 260-3460 Fax: (410) 974-5338
www.dnr.state.md.us/criticalarea/

December 22, 2008

Ms. Betsy Vennell
Office of Planning and Zoning
Town of North East
PO Box 528
North East, Maryland 21901-0528

**Re: North East Isles Buffer Management Plan
Lots 98, 99, 100**

Dear Ms. Vennell:

This office has received a copy of the revised Buffer Management Plan (BMP) for the above-referenced project. The applicant has proposed to construct three houses, three walkways to individual piers, and upgrades to an existing road for a previously approved subdivision. The site is 2.35 acres in size and is designated Limited Development Area (LDA). Total proposed lot coverage is 0.063 acres; all lots are proposing less than 15% lot coverage. Total forested area onsite is 1.29 acres (54.9%); the applicant proposes to remove 26 trees. It is our understanding that a portion of Buffer mitigation (13,055 square feet) will either be planted within the Town limits at various locations determined by Town staff, or a fee-in-lieu will be paid into the Town's planting fund.

Based on our review of this plan, we have no additional comments.

Thank you again for providing the opportunity to review this Buffer Management Plan. If you have any questions, please contact me at (410) 260-3483.

Sincerely,

A handwritten signature in black ink that reads "Nick Kelly".

Nick Kelly
Natural Resource Planner
cc: NE 424-06

Martin O'Malley
Governor

Anthony G. Brown
Lt. Governor



Margaret G. McHale
Chair

Ren Serey
Executive Director

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December 9, 2008

Ms. Betsy Vennell
Office of Planning and Zoning
Town of North East
PO Box 528
North East, Maryland 21901-0528

**Re: North East Isles Buffer Management Plan
Lots 98, 99, 100**

Dear Ms. Vennell:

This office has received a copy of the revised Buffer Management Plan (BMP) for the above-referenced project. The applicant has proposed to construct three houses, three walkways to individual piers, and upgrades to an existing road for a previously approved subdivision. The site is 2.35 acres in size and is designated Limited Development Area (LDA). Total proposed lot coverage is 0.063 acres; all lots are proposing less than 15% lot coverage. Total forested area onsite is 1.29 acres (54.9%); the applicant proposes to remove 26 trees. It is our understanding that a portion of Buffer mitigation (13,055 square feet) will either be planted within the Town limits at various locations determined by Town staff, or a fee-in-lieu will be paid into the Town's planting fund.

We understand that the applicant has submitted this BMP to us for review and approval. While we are happy to provide comments on the plan to the Town, we note that the Town ultimately has the approval authority for this plan.

Based on our review of this plan, it appears that several of the comments in my October 21, 2008 letter have not been addressed. Below are those comments, as well as additional comments based upon my review of this Buffer Management Plan:

1. It appears that the "On-site Tree Plantings" table is inaccurate. For example, the table states that 40 small trees will be planted in Area A, and 12 small trees will be planted in Area B. However, the BMP reveals that only 36 small trees are proposed within Area A, and 13 are proposed within Area B. We recommend that the applicant revise the BMP to correct this matter.

2. Please have the applicant provide in the planting notes section the period of time when the applicant will install the plantings (e.g. – between March and May).
3. Please have the applicant revise site note #2, found on Sheet E01, from “All decks should be constructed to remain pervious, with spaces between boards,...” to “All decks should be constructed to remain pervious, with gaps between boards,...”
4. Please have the applicant forward a copy of the MDE permit for all three piers to this office once it is received.
5. Please change all references of “impervious surface” to “lot coverage,” as applicants must now meet 15% lot coverage restrictions, as found in Ch. 119, 2008 Laws of Maryland at 765. Lot Coverage includes the area of the lot that is occupied by a structure, accessory structure, parking area, driveway, walkway, or roadway; or covered with gravel, stone, shell, impermeable decking, a paver, permeable pavement, or any manmade material. Lot coverage does not include a fence or wall that is less than one foot in width that has not been constructed with a footer, a walkway in the Buffer or expanded Buffer (including a stairway), that provides direct access to a community or private pier, a wood mulch pathway, or a deck with gaps to allow water to pass freely.
6. We recommend that the line, “Violators are subject to fines imposed by the Town of North East Critical Area Program” be added to the proposed Buffer signs.

Thank you again for providing the opportunity to review this Buffer Management Plan. Provided that the above mentioned revisions are made, further review of this plan is not required by this office.

If you have any questions, please contact me at (410) 260-3483.

Sincerely,

A handwritten signature in black ink that reads "Nick Kelly". The signature is written in a cursive, slightly slanted style.

Nick Kelly
Natural Resource Planner
cc: NE 424-06

Martin O'Malley
Governor

Anthony G. Brown
Lt. Governor



Margaret G. McHale
Chair

Ren Serey
Executive Director

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October 21, 2008

Ms. Betsy Vennell
Office of Planning and Zoning
Town of North East
PO Box 528
North East, Maryland 21901-0528

**Re: North East Isles Buffer Management Plan
Lots 98, 99, 100**

Dear Ms. Vennell:

This office has received a copy of the revised Buffer Management Plan (BMP) for the above-referenced project. The applicant has proposed to construct three houses, three walkways to individual piers, and upgrades to an existing road for a previously approved subdivision. The site is 2.35 acres in size and is designated Limited Development Area (LDA). Total proposed lot coverage is 0.063 acres; all lots are proposing less than 15% lot coverage. Total forested area onsite is 1.29 acres (54.9%); the applicant proposes to remove 26 trees. It is our understanding that a portion of Buffer mitigation (13,055 square feet) will be planted within the Town limits at various locations determined by Town staff.

We understand that the applicant has submitted this BMP to us for review and approval. While we are happy to provide comments on the plan to the Town, we note that the Town ultimately has the approval authority for this plan. Below are our comments based upon review of this Buffer Management Plan:

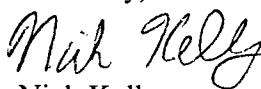
1. Mitigation is required for the removal of 26 trees at a 3:1 Ratio (7,800 square feet). The applicant states that this requirement will be completed by planting 20 large trees and 39 small trees. Large trees (2-inch caliper) receive 100 square feet of mitigation credit, while smaller trees receive 75 square feet of credit. Based on these credits, the applicant is required to provide an additional 2,875 square feet of plantings to meet mitigation requirements onsite.
2. The applicant lists two shrubs, Red Chokeberry and Silky Dogwood, as trees on the site plan. Please have the applicant revise the BMP to show these plants as shrubs, and please

revise the mitigation calculations appropriately, as shrubs receive only 50 square feet of mitigation credit.

3. It appears that the "On-site Tree Plantings" table is inaccurate. For example, the table states that 20 large trees will be planted in Area A, and nine large trees will be planted in Area E. However, the BMP reveals that only 19 large trees are proposed within Area A, and 10 are proposed within Area E. We recommend that the applicant revise the BMP so that the table and map of the proposed locations are in accord.
4. Please have the applicant provide in the planting notes section the period of time when the applicant will install the plantings (e.g. – between March and May).
5. The applicant shall add the following note to the planting plan: "Natural regeneration of native vegetation and groundcover will be permitted onsite after the initial planting of the Buffer area."
6. Please have the applicant revise site note #10, found on Sheet E01, from "All decks should be constructed to remain pervious, with spaces between boards,..." to "All decks should be constructed to remain pervious, with gaps between boards,..."
7. Wetlands are delineated onsite, but it appears the applicant uses the same symbol to identify both tidal and nontidal wetlands, and a 25-foot Buffer is drawn around a tidal wetland. Please have the applicant revise the BMP, showing the location of tidal and nontidal wetlands using separate symbols. Nontidal wetlands have a 25-foot Buffer, while a 100-foot Buffer is drawn from tidal wetlands of the edge of tidal waters.
8. The plan states that the North East River is a Habitat Protection Area (HPA). However, no notes are listed on the plan stating how this HPA will be protected. Please have the applicant add a note that states what measures will be taken to protect the HPA.
9. Please have the applicant forward a copy of the MDE permits for all three piers to this office once it is received.
10. The applicant must submit a planting plan to the Town for all proposed off-site plantings.

Thank you again for providing the opportunity to review this Buffer Management Plan. If you have any questions, please contact me at (410) 260-3483.

Sincerely,



Nick Kelly

Natural Resource Planner

cc: NE 424-06

Martin O'Malley
Governor

Anthony G. Brown
Lt. Governor



Margaret G. McHale
Chair

Ren Serey
Executive Director

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September 15, 2008

Ms. Betsy Vennell
Office of Planning and Zoning
Town of North East
PO Box 528
North East, Maryland 21901-0528

**Re: North East Isles
Lot 98, 99, 100**

Dear Ms. Vennell:

Thank you for providing information on the infill application for the above-referenced project. The applicant proposes to create a single-family house on Lots 98, 99, and 100 of the North East Isles subdivision. We have responded to the questions you have posed in your September 2, 2008 letter below:

Stormwater Management Plan:

The stormwater management plans and letter you have submitted to this officer refer to the Heron Cove subdivision. Therefore, it does not apply to the North East Isles project.

Infill Application:

This office defers to the Cecil County Department of Public Works to determine whether the porous pavers, decks, etc. are in compliance with County stormwater management regulations as well as other approvals for this project. However, we do note that the amount of impervious surface for each lot is limited to 15%; therefore, the applicant may need to reconfigure impervious coverage on each lot to meet this requirement, based on the County's determination of how much pervious credit the pavers will receive. A lot coverage plan would need to be filed with each lot outline this credit by July 1, 2010.

Critical Area Plan:

Upon reviewing the responses provided by Frederick Ward Associates in responses to Ms. Schmidt's March 19, 2008 comments, we believe that applicant has adequately addressed all

comments. However, this office would defer to your office's authority in determining whether the project meets the Town's Critical Area regulations.

Landscape/Mitigation Plan:

In reviewing the tree replacement plan, we believe that the applicant has met all requirements. However, this office would defer to your office's authority in determining whether the project meets the Town's Critical Area regulations.

Thank you again for providing information on this application. If you have any questions, please contact me at (410) 260-3483.

Sincerely,

A handwritten signature in cursive script, appearing to read "Nick Kelly".

Nick Kelly

Natural Resource Planner

cc: Mary Ann Skilling, Maryland Department of Planning
NE 424-06

Martin O'Malley
Governor

Anthony G. Brown
Lt. Governor



Margaret G. McHale
Chair

Ren Serey
Executive Director

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May 13, 2008

Ms. Betsy Vennell
Town of North East
PO Box 528, 106 South Main Street
North East, Maryland 21901-0528

Re: Heron Cove Subdivision
Revised Stormwater Management Plans – April 2008

Dear Ms. Vennell:

This office has received revisions to the Stormwater Management Plans and Report for the above-referenced subdivision. As you are aware, the property is designated as Intensely Developed Area (IDA) and must comply with the 10% pollutant reduction rule. We previously provided comments on January 2, 2008. I have the following comments on the revised plan:


1. The site area used for the 10% pollutant reduction calculations should be the entire area of IDA, not just the area of development. Therefore, the applicant should increase the site area from 24.90 acres to 41.09 acres.
2. The Town of North East limited impervious surface to 17.76% when it approved the growth allocation change from LDA to IDA. The area of proposed impervious surface totals 10.11 acres, including the entire area of roads, driveways, sidewalks, and rooftops. This equates to 17.03% across the entire 59.36 acre site.
3. The applicant is proposing a number of techniques to reduce the post-development impervious surface in order to meet the 10% pollutant reduction requirement. I have the following comments regarding these deductions:
 - a. Provided the area of impervious surface directed to Swales No. 1-4 meets the approval of the Cecil County Department of Public Works, these areas may be deducted from the calculations.
 - b. Lots 1-9 are proposing to use the Stormwater Manual 'sheet flow to buffer' credit. In order to use this credit, there must be at least 75-feet of space available for stormwater to flow prior to entering the 110-foot Buffer. Sheet flow may not be

Ms. Betsy Vennell
Heron Cove Subdivision
May 13, 2008
Page 2 of 2

- directed into the Buffer and receive credit without this distance. The applicant will have to redirect rooftop runoff from these lots into another practice.
- c. The Critical Area Commission does not recommend 100% pervious credit to pavers. The effectiveness of pervious pavers is very site specific. Staff can work with the Town to help evaluate the system proposed at this site, the on-site soil characteristics and the proposed use and provide the Town with an appropriate percentage of credit. The applicant should provide soil boring information from the areas where the pavers are proposed to be used to this office for further evaluation.
 - d. The Commission also does not recommend providing credit to the 10% calculations for pavers in roadway areas. These areas are more heavily used and become compacted over time. The applicant should remove the area of roadway pavers from the 10% calculations altogether.
4. Based on my calculations without including any credits, the pollutant removal requirement for the proposed project is 8.67 lbs of phosphorous per year.
5. In order to evaluate whether the 10% pollutant reduction requirement is being met, the entire 41.09 acre area must also be accounted for during the BMP efficiency calculations. The applicant may want to refer to Section 7-5 of the 10% Rule Guidance Manual which describes how applicant may use drainage divides to evaluate a site with these characteristics. Separate worksheets must be submitted for each drainage unit.

Thank you for the opportunity to comment. If you have any questions, please contact me at (410) 260-3475.

Sincerely,



Kate Schmidt
Natural Resource Planner

Cc: Mary Ann Skilling, MDP
Jeremy Sandmeier, Morris & Ritchie Associates

Martin O'Malley
Governor

Anthony G. Brown
Lt. Governor



Margaret G. McHale
Chair

Ren Serey
Executive Director

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CRITICAL AREA COMMISSION
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May 12, 2008

Ms. Betsy Vennell
Zoning Assistant
Town of North East
P.O. Box 528
North East, Maryland 21901

RE: Variance Case #A-2008-10-V, 11-V, 12-V, & 13-V
North East Isles Lots 97, 98, 99, & 100

Dear Ms. Vennell:

This office received a revised Critical Area site plan for the above referenced project. The applicant was granted variances by the Board of Appeals on April 1, 2008 to disturb the expanded 110-foot Buffer. As a condition of that approval, the Board of Appeals required mitigation in compliance with the recommendations provided in my letter of March 19, 2008. I have reviewed the revised site plan and believe that the combination of the on-site mitigation and the proposed fee-in-lieu meets the required mitigation obligation.

If you have any questions, please contact me at (410) 260-3475.

Sincerely,

A handwritten signature in cursive script that reads "Kate Schmidt".

Kate Schmidt
Natural Resource Planner
NE424-06

Cc: Mr. Chuck Schneider, Frederick Ward Associates
Ms. Mary Ann Skilling, Maryland Department of Planning

Martin O'Malley
Governor

Anthony G. Brown
Lt. Governor



Margaret G. McHale
Chair

Ren Serey
Executive Director

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March 19, 2008

Ms. Betsy Vennell
Zoning Assistant
Town of North East
P.O. Box 528
North East, Maryland 21901

RE: Variance Case #A-2008-10-V, 11-V, 12-V, & 13-V
North East Isles Lots 97, 98, 99, & 100

Dear Ms. Vennell:

Thank you for submitting the above referenced variance applications for review and comment. The applicant, Larson Investments, is seeking variances to develop three existing grandfathered lots with individual single family homes and to improve the existing access road within the 110-foot Buffer. The properties are designated as Limited Development Area (LDA) and lie entirely within the expanded 110-foot Buffer for steep slopes.

Provided the lots are properly grandfathered, this office does not oppose these variances to establish a dwelling on each lot. Based on the information provided, I have the following comments:

1. The development table states that 0.65 acres will be impacted on Lots 98, 99, and 100. Additionally, 0.24 acres will be impacted to improve the access road and construct the shoreline erosion control measure on Lots 97 and 98. It is unclear what types of improvements for the access road are planned. Will the road be widened? Or do the improvements consist only of replacement of existing impervious surface area? It is important to clarify the types of impacts in order to determine the amount of mitigation to require as a component of the variance as described below.
2. The construction of the homes and driveways on Lots 98-100 should be mitigated at a ratio of 3:1 for disturbance to the Buffer.
3. The area of impact to the Buffer for the construction of the shoreline erosion control measure should be mitigated at a ratio of 1:1.
4. The area of impact to the Buffer for the roadway access improvements should be mitigated at a ratio of 3:1.

TTY for the Deaf

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5. To the maximum extent possible, mitigation should be provided on site in the form of plantings within existing cleared areas on the property and be permanently protected. Protection may occur in the form of plat notes to indicate no clearing may occur within the reforested area. Previously submitted tree replacement plans included an appropriate mix of native overstory and understory trees to be planted on Lot 100.

Thank you for the opportunity to provide comments. Please include this letter in your file and submit it as part of the record for this variance. Also, please notify the Commission in writing of the decision made in this case.

Sincerely,

A handwritten signature in cursive script that reads "Kate Schmidt".

Kate Schmidt
Natural Resource Planner
NE424-06

Cc: Ms. Mary Ann Skilling, Maryland Department of Planning



**STATE OF MARYLAND
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April 11, 2007

Ms. Betsy Vennell
Zoning Assistant
Town of North East
P.O. Box 528
North East, Maryland 21901

RE: North East Isles Lots 98, 99, & 100

Dear Ms. Vernell:

This letter constitutes a joint review by Mary Ann Skilling and me on the revised information regarding the above referenced lots provided by Frederick Ward Associates in response to our October 17, 2006 letter. The project proposes the construction of three single family dwellings with driveways on grandfathered lots. An access road housing water and sewer lines for the three sites will be constructed and maintained as a private road. In order to provide stability to the road and existing utilities, a retaining wall will be constructed above the proposed revetment. The lots are designated as Limited Development Area (LDA) and entirely within the expanded 100' Buffer for steep slopes. Based on the information provided, we offer the following comments:

1. As stated previously, the applicant must obtain a variance for impacts to the expanded 100-foot Buffer and for impacts to steep slopes for the retaining wall. I recommend additional information, perhaps review by Cecil County Soil Conservation District, be provided to demonstrate the amount of grading of steep slopes proposed is the minimum necessary.
2. The Environmental Assessment correctly proposes 3:1 replacement, or 78 trees, for clearing in the Buffer for the three home sites. Additionally, the area of disturbance for shoreline stabilization is 4,980 square feet and must be mitigated at a ratio of 1:1. However, the proposed planting plan does not follow Critical Area Commission guidance and may potentially be inadequate to address the total impacts.
 - a. Typically, red maple is considered a large tree and planted at 2-inch caliper and 10-foot center spacing equal to 100 square feet of disturbance. Serviceberry, red bud, and box elder are generally considered small trees and usually grouped with larger trees for increased credit. For instance, 1 large tree and 2 small trees (or 3 shrubs) can be credited as 400 square feet. In this instance, the applicant counted 26 trees to be replaced at 3:1. This may be accomplished with either 78 large trees, or with a combination of large and small trees or shrubs for 7800 square feet.

TTY for the Deaf:

Annapolis: (410) 974-2609 D.C. Metro: (301) 586-0450

- b. The 4,980 square feet of disturbance which must be mitigated at 1:1 ratio can be done with either 50 large trees (100 square feet credit per tree) or the grouping described above for a credit of 400 square feet per group.
 - c. Lastly, if the applicant chooses the grouping method, large trees must be spaced 20-feet on center and small trees spaced 10-feet on center. While we recommend that plantings be provided on-site, if there is insufficient room to accommodate all of the material than the remainder should be provided off-site or as fee-in-lieu.
 - d. Restrictions should be placed on the existing forest and the newly planted areas.
3. The impervious surface limit for the three lots and private access road is 15% total as well as 15% per lot. It appears the applicant is meeting this limit. I recommend a note stating the 15% impervious surface limit be placed on the site plan.
 4. In order to maintain the 15% impervious surface limit, the decks should be constructed to be and remain pervious, with spacing between the boards, a gravel substrate and vegetative stabilization at the perimeter.
 5. We recommend the applicant provide copies of permits for pier installation to the Town prior to construction. If additional clearing for their construction is required than that currently proposed, mitigation should be provided at a ratio of 2:1. The North East River is considered anadromous fish propagation waters and work is restricted within tidal waters from March 1 to June 15.
 6. The Environmental Assessment states that the project will impact the non-tidal wetland buffer in two areas of the existing access lane and for shoreline stabilization. Impacts to non-tidal wetlands require a Maryland Department of Environment (MDE) nontidal wetland permit. Additionally, it appears that the proposed grading or trail access on Lot 100 may impact a nontidal wetland buffer, which may also require a permit from MDE.
 7. Sediment and erosion and stormwater plans for the entire site must be received prior to final approval.
 8. Proposed trails for water access should be limited to 3 feet in width rather than 5 feet to further minimize disturbance and clearing in the Buffer and on steep slopes.

Thank you for the opportunity to provide comments. If you have any questions, please contact me at 410-260-3475.

Sincerely,



Kate Schmidt
Natural Resource Planner
NE424-06

Cc: Ms. Mary Ann Skilling, Maryland Department of Planning

Martin O'Malley
Governor

Anthony G. Brown
Lt. Governor



Margaret G. McHale
Chair

Ren Serey
Executive Director

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June 28, 2007

Ms. Betsy Vennell
Zoning Assistant
Town of North East
P.O. Box 528
North East, Maryland 21901

RE: North East Isles Lots 98, 99, & 100

Dear Ms. Vennell:

I received a revised set of plans on June 14, 2007 for the above referenced project. The project proposes the construction of three single family dwellings with driveways on grandfathered lots. An access road housing water and sewer lines for the three sites will be constructed and maintained as a private road. In order to provide stability to the road and existing utilities, a retaining wall will be constructed above the proposed revetment. The lots are designated as Limited Development Area (LDA) and entirely within the expanded 100' Buffer for steep slopes. It appears that based on the revisions and information provided the applicant has addressed all of my previous comments.

I have no additional comments to make at this time. I understand that the applicant will apply for a variance for impacts to the expanded 100-foot Buffer and for impacts to steep slopes. Please forward a copy of the variance application to this office for review and comment at that time per COMAR 27.03.03.D.

Thank you for the opportunity to provide comments. If you have any questions, please contact me at 410-260-3475.

Sincerely,

A handwritten signature in cursive script that reads "Kate Schmidt".

Kate Schmidt
Natural Resource Planner
NE424-06

Cc: Ms. Mary Ann Skilling, Maryland Department of Planning

Robert L. Ehrlich, Jr.
Governor

Michael S. Steele
Lt. Governor



Martin G. Madden
Chairman

Ren Serey
Executive Director

**STATE OF MARYLAND
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October 17, 2006

Ms. Betsy Vennell
Zoning Administrator
Town of North East
P.O. Box 528
North East, Maryland 21901

RE: North East Isles Lots 98, 99, & 100

Dear Ms. Vennell:

Thank you for providing information regarding the proposed site plan for Lots 98, 99, and 100 in the North East Isles subdivision. The applicant is proposing to develop each lot with a single-family dwelling. The parcels which are adjacent to each other range in size from approximately 0.5 acre to 1.0 acre. They are designated as Limited Development Area (LDA) and entirely within the expanded 100' Buffer for steep slopes. Mary Ann Skilling and I have jointly reviewed this project. Based on the information provided, we offer the following comments:

1. It appears that the forest clearing on Lot 100 could be minimized. However, if the applicant demonstrates clearing and grading is necessary for the stability of the proposed dwelling, then a portion of the required mitigation plantings may occur in this area.
2. The total mitigation provided under the proposed lot data chart is incorrect. Given that all three lots are entirely within the 100-foot Buffer, mitigation must occur at a 3:1 ratio for the entire area disturbed. The site data states that the area of impact within the expanded Buffer is 0.66 acres; therefore the total mitigation required will be 1.98 acres. I recommend at least a portion of this mitigation occur on site, as mentioned above.
3. I recommend the applicant consider a community pier and single access point for the three lots in order to reduce the mitigation requirement. While access to piers through the Buffer is permitted, any proposed clearing or removal of trees will have to be mitigated at a 2:1 ratio. If the developer does not provide a single community pier, the location of the piers and access to each pier must be shown on the plan and mitigation for Buffer disturbance provided at the 2:1 ratio for all disturbances.
4. It is our understanding that the applicant has applied for an MDE permit for a revetment along the shoreline but no longer plans to construct the revetment.

5. How will the roadway be stabilized? Previously the MDE permit application showed grading in the Buffer down to the revetment to stabilize the road. If grading is required for the road, the limit of disturbance will need to be expanded and included in the mitigation ratio.
6. Stormwater and sediment and erosion control permits must be obtained prior to final site plan approval.

Thank you for the opportunity to provide comments. If you have any questions, please contact me at 410-260-3475.

Sincerely,

A handwritten signature in cursive script that reads "Kate Schmidt". The signature is written in dark ink and is positioned above the printed name.

Kate Schmidt
Natural Resource Planner
NE424-06

cc: Mary Ann Skilling, Critical Area Circuit Rider

Robert L. Ehrlich, Jr.
Governor

Michael S. Steele
Lt. Governor



Martin G. Madden
Chairman

Ren Serey
Executive Director

STATE OF MARYLAND
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July 18, 2006

Ms. Mary Ann Skilling
Maryland Department of Planning
210 Inverness Drive
Church Hill, Maryland 21623

RE: North East Isles Lots 98, 99, & 100

Dear Ms. Skilling:

Thank you for providing information regarding the proposed site plan for Lots 98, 99, and 100 in the North East Isles subdivision. The applicant is proposing to develop each lot with a single-family dwelling. The parcels which are adjacent to each other range in size from approximately 0.5 acre to 1.0 acre. They are designated as Limited Development Area (LDA) and entirely within the expanded 100' Buffer for steep slopes. Based on the information provided, I have the following comments:

1. The submitted plat shows that fast land is included in the lot boundaries and lot size. Performance standards for development within the Critical Area are based upon acreage landward of the edge of Mean High Water (MHW) of tidal waters or wetlands. Land below mean high water is considered to be under State ownership and includes areas of open water. The plat must be revised to exclude these areas from the lots.
2. If tidal wetlands are located on site, the applicant must provide a field delineation to distinguish between State and private tidal wetlands. State tidal wetlands also cannot be included within the boundaries of any privately owned lot or parcel. If a field delineation is necessary, the applicant should work with this office to ensure the delineation methodology is acceptable.
3. Prior to site plan approval, the applicant must obtain a variance for impacts to the Buffer and impacts to steep slopes.
4. As stated above, impervious surface calculations must be based upon acreage of land above mean high water for each parcel.

Thank you for the opportunity to provide comments. If you have any questions, please contact me at 410-260-3475.

Sincerely,

A handwritten signature in cursive script that reads "Kate Schmidt".

Kate Schmidt
Natural Resource Planner
NE424-06

Cc: Ms. Betsy Vernell, Zoning Administrator

TTY for the Deaf
Annapolis: (410) 974-2609 D.C. Metro: (301) 586-0450



TOWN OF NORTH EAST

OFFICE OF PLANNING AND ZONING

424-06

106 South Main Street
P.O. Box 528
North East, Maryland
21901-0528



410/287.5801
410/287.8267 Fax



www.northeastmd.org

Date: September 18, 2008

To: Larson Investments, LLC
Attention: Lee Larson, Karen Walker and Chuck White

Cc: Frederick Ward Associates
Attention: Bruce Beasman and Chuck Schneider

From: Betsy Vennell *eb*
Director of Planning

Infill Applications for Lot 98, 99, 100 North East Isles
Reviewed by the North East Planning Commission September 17, 2008
Approved subject to the following conditions and findings of fact:

1. Letter of conditions and attachments provided by Mrs. Vennell dated September 17, 2008 (attached), except as outlined below.
2. All structures shall be contained within the building envelope including but not limited to the front porches on lot 99 and 100.
3. Lighting Plan: To be included in the record of this Infill Project, the applicant shall submit to the Planning Office; a variety of outside lighting choices which the client will be given to choose from.
4. Porous Paver Driveways: Paver style has been approved as submitted in the infill application.
5. Style and Color of Siding, roof, gutters, windows and doors: "James Hardie" products. The applicant shall be permitted to choose neutral earth tone colors to provide for flexibility with each client's choice.
6. Scallop and stone may be placed on the façade at the client's choice.
7. Decks: Decking materials as shown in the infill application is approved as presented. The rear deck shown on the house drawings for lot 100 shall be shown on the infill site plan, Critical Area plan and Revetment plan. Applicant or applicant's engineers shall provide verification to the Town which assures the proposed structure is located out of the non-tidal wetlands.
8. Applicant shall provide identical house/porch footprints on the infill site plan, Critical Area plan and Revetment plan.

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Member of The North East Chamber of Commerce



9. Landscape plan: Applicant shall meet the Town's 25% minimum landscape requirements of the underlying zone. Mr. Larson shall submit a landscape plan for the landscape around the houses and will include a list of items such as: minimum 5 yards of mulch, 20 native plantings and 500 square feet of landscape. The mitigation for the revetment plan shall be submitted to the Town and to the Critical Area Commission for compliance with the Town's regulations and for any required Agency approvals. Mrs. Vennell requested that Mr. Beasman place a note on the Critical Area Plan "applicant shall provide, at a minimum, landscape for 25% of the development site". The Planning Office shall be required to verify whether the landscape minimum requirements have been met prior to endorsement of approval signature.

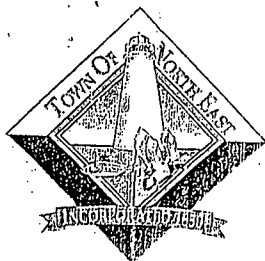
10. Driveway Setback Waivers: The Planning Commission granted waivers of the driveway setbacks, as outlined:

Lot 100: Due to the shape of the lot, the driveway has been located closer to the side lot lines than the Zoning Ordinance's minimum setback requirements (requirement 15 feet aggregate), the Planning Commission granted a west side yard setback waiver of 2 feet and an east side yard setback waiver of 5 feet, as shown on the infill site plan for the purpose of a driveway.

Lot 99: Due to the shape of the lot, the driveway has been located on the side lot lines. The Planning Commission granted a side yard setback waiver to allow the driveway to reach to the property lines on both sides as shown on the infill site plan.

Lot 98: No waivers required. It is noted that the driveway exceeds the building envelope on the north side of the property, however, is within the setback regulations and the Critical Area Commission and the Planning Commission did not object to this.

It shall be noted that any changes to the established record, outlined above, will require pre-authorization from the North East Planning Commission. Should you have any questions regarding this approval or any of the required conditions, please feel free to contact me.



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21901-0528



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DATE: September 17, 2008
TO: North East Planning Commission
FROM: Betsy Vennell, Director of Planning *ebv*
RE: Infill Applications, Lot 98,99,100, North East Isles

Comments on the infill applications:

Siding Color: The Planning Commission will need to choose evening blue, khaki brown or mountain sage (or whether a combination of siding color choices will be acceptable).

Siding style: The Planning Commission will need to choose Straight Edge or Staggered Edge

Roof Color: The Planning Commission will need to choose a roof color (or whether any of the color choices proposed with the application are acceptable)

Gutter System: The Planning Commission will need to choose white or neutral earth tone (or whether a combination of the proposed colors will be acceptable).

Siding and Door Colors: The Planning Commission will need to choose white or neutral earth tone (or whether a combination of the proposed colors is acceptable)

Windows: Applicant to verify the window style. Application is unclear because the windows in the elevations are shown as 9 pane windows and the application states 6 grid style. Is the submittal of the 8500 window the "Capital Window"?

Driveways: Due to the design of the lots, driveways do not adhere to the setback regulations. A waiver of the setback regulations will need to be granted by the North East Planning Commission, which I have outlined below. The plans also show that the driveway materials will be "Henry Paver". The applicant should be prepared to explain what this material is composed of; for instance is this a stamped concrete pattern or is this a porous paver material. Will the proposed material receive pervious credit and if so, at what percentage. It shall be noted that if this design is approved by the Planning Commission, a construction detail shall be provided with the infill site plan. The letter from the Critical Area Commission dated September 15, 2008 states that a lot coverage plan needs to be filed with each lot, therefore, the applicant shall provide a the square footage breakdown per lot of the driveway's impervious surface area (identify credits for porous material). Also, include information on the Critical Area Site Plan.



Landscape and lighting: Letter from Transviron Inc dated December 18, 2006 required that lighting and landscape be submitted to the Planning Commission. The infill application states that sconces will be provided at the entrances, however, locations and details of the sconces have not been provided. Applicant shall submit a private lighting plan to the Planning Commission for approval. Applicant's infill application states that the landscape design is to be made after construction begins, however, the Planning Commission is the approving authority for the landscape as part of the infill site plan, therefore, applicant shall submit to the Planning Commission for approval, the landscape plan including:

- a. the mitigation plan (showing removal and re-plantings) submitted and approved by the Critical Area Commission
- b. Revetment/bank stabilization planting plan, showing removal and re-plantings of lot 97 and 98.
- c. Landscape required per Article 12, Minimum of 25% of the development envelope shall be landscaped.

Sidewalks and Walks: Lot 100 is the only lot which provides a sidewalk. Applicant shall revise plan to reflect all sidewalks on each lot. The site plan shall reflect that that "Henry Paver" is the proposed sidewalk on individual lots. A lot coverage plan needs to be filed with each lot, therefore, the applicant shall provide a the square footage breakdown per lot of the sidewalks impervious surface area (identify credits for porous material). Also, include information on the Critical Area Site Plan.

Lot 100:

Front Porch: The applicant needs to amend the plan to remove the front porch with a roof on the house, as it is located outside of the building envelope.

Driveway: Due to the width of the lot and the placement of the water meter crock, the driveway is too close to the side yard setbacks and will require a west side yard setback waiver of 2 feet and an east side yard setback waiver of 5 feet. (based on minimum side yard setback requirement of 5 feet with both side yards totaling 15 feet).

Unidentifiable material: Applicant shall address the "material" on the infill plan, shown outside of the house in the front yard which is not on shown on lots 98 or 99.

Deck: There is a deck shown for this house on the individual house plans, however, not shown on the site plan nor on the critical area plan. Revise the site plan to reflect what is truly proposed. The applicant is cautioned that the Critical Area Commission or other Agencies may prohibit the installation of this rear deck due to the steep slopes in this location and/or non-tidal wetland buffer impacts.

Lot 99:

Porch: There is no front porch proposed on this lot, which is inconsistent the other two homes. Applicant shall address.

Driveway: Due to the width of the lot, the driveway is located on the side lot lines and will require the Planning Commission to grant a side yard setback waiver to allow the driveway to reach to the property lines as shown on the site plan. In addition, the meter crock is located within the driveway, which may only be permitted with approval from Transviron, Inc. as it does not reflect the Town's Water standards and specifications.

Lot 98

Driveway: The driveway exceeds the building envelope on the north side of the property, however, is within the setback regulations and the Critical Area Commission did not object to this.

Proposed Grinder Pump By Others: Plan shall Identify "others". Applicant shall explain what the grinder pump is for.

Decks: There is what appears to be a deck shown on the east side of the house on the Critical Area Plan, which does not appear on the infill application. Applicant shall identify the difference in the two plans.

Other information:

Piers: Piers are shown on the infill site plan. The Critical Area Site plan dated 4/22/2008 states in note 9: lot 98 and lot 100 do not have an approved pier permit, however lot 99 does have approval. Note 11 states: all three piers shown on the plan are not approved and will have to be applied for by the property owner. The notes shall be corrected on the critical area plan, and the infill site plan and the critical area plan need to reflect identical information regarding the piers.

Trails: Show trails on the infill site plan.

Impervious Surface: The Planning Commission is required to approve the critical area impervious surface calculations with an infill application as well as review the applicant's proposed stormwater methods. The applicant shall submit a "lot coverage plan" per the Critical Area comments dated September 15, 2008 to verify the Town's Critical Area Regulations have been met, as follows:

Critical Area Regulations, Chapter 12. Limited Density Areas

Manmade impervious surfaces shall not exceed 15% of the portion of the lot or parcel within the Critical Area proposed to be developed except for the following:
 (c) If an individual lot one acre or less in size is part of a subdivision approved after December 1, 1985, man made impervious surfaces of the lot may not exceed twenty-five percent (25%) of the lot. However, the total of the impervious surfaces of the entire subdivision may not exceed fifteen (15%) percent.

It shall be noted that the applicant has provided impervious surface calculations on the Critical Area Plan, however, applicant shall submit updated numbers to identify the following percentages as well as to identify the calculation of driveway credits (if any); identify sidewalk calculations and retaining wall impervious surface calculations.

| Lots 98,99,100 | | Impervious Surface Coverage permitted | Impervious Surface Coverage Proposed: Square footage and percentage |
|---------------------------------|------------|---------------------------------------|---|
| Lot 98 | .87 acres | 25% | |
| Lot 99 | .46 acres | 25% | |
| Lot 100 | 1.02 acres | 15% | |
| Road, total of three lots above | 2.35 acres | 15% for entire development | |

The following shall be required prior to the Town's endorsement of signature on any of the plans for this project:

Approval of the following plans including but not limited to:

- a. Infill plan
 - b. critical area plan/mitigation plan
 - c. impervious surface calculations
 - d. Buffer Management Plan
 - e. Revetment and stabilization plan
 - f. Water utility plan
1. Executed Public Works Agreement shall be required prior to endorsement of approval on all plans.
 2. Water Utility Plan shall be signed prior to construction authorization approval.
 3. MDE approval of the revetment/bank stabilization plan plan.
 4. Utility and Maintenance agreements.
 5. Add the following signature boxes on the infill site plan: Applicant and Owner, Larson Investments, LLC; North East Planning Commission Chairman; Town of North East Director of Planning.

Betsy Vennell

From: "Kelly, Nick" <NKelly@dnr.state.md.us>
 To: "Betsy Vennell" <bvennell@northeastmd.org>
 Cc: "Schmidt, Katherine" <KSchmidt@dnr.state.md.us>
 Sent: Tuesday, September 16, 2008 11:14 AM
 Subject: RE: lot 100 - north east isles infill project question

Hi Betsy,

Kate forwarded me the emails you sent to her regarding North East Isles. I'll do my best to answer your questions:

1. Per the SWM management plan – No, our office does not need to see it, as it has already been approved by the County.
2. Per the proposed deck that may impact a non-tidal Buffer – First, the deck may be considered part of lot coverage, unless it meets the standards of HB 1253, which states that "decks with gaps to allow water to pass freely" are not included as part of lot coverage. In regard to its possible non-tidal impacts: if the footers are located within the nontidal wetland or nontidal Buffer, then MDE will require notification.
3. Buffer Management Plan – We would recommend that the Town request a Buffer Management Plan so that the Town has documentation of all Buffer impacts. In terms of the proposed pathways, we recommend that they be no more than 3-4 feet wide and made of mulch. No trees may be cleared. Any proposed piers would require MDE permits.
4. Driveway located outside of the Building envelope – Provided it does not impact the Buffer or any Habitat Protection Areas, no clearing is involved, etc., I don't think we'd have many concerns. However, the driveway must be included as a portion of lot coverage, so the applicant will need to verify that the lot is not exceeding lot coverage.

Finally, while we are certainly happy to provide guidance during the building permit process, Commission staff generally does not provide comments on building permit applications. Ultimately, we defer to the Town's authority to approve building permits in accordance with its Critical Area Regulations. Our comments are provided at the subdivision review stage.

I hope this helps some. If you have additional questions, please let me know.

Thanks

Nick Kelly

Nick Kelly, Ph.D
 Natural Resource Planner
 Critical Area Commission
 Chesapeake and Atlantic Coastal Bays
 (410) 260-3483
 (410) 974-5338 (f)

-----Original Message-----

From: Schmidt, Katherine
 Sent: Tuesday, September 16, 2008 8:19 AM
 To: Kelly, Nick
 Subject: FW: lot 100 - north east isles infill project question

9/16/2008

Betsy Vennell

From: "Kelly, Nick" <NKelly@dnr.state.md.us>
To: "Betsy Vennell" <bvennell@northeastmd.org>
Sent: Wednesday, September 17, 2008 9:32 AM
Subject: Lot Coverage Language

The subdivision plat must contain information regarding existing and proposed lot coverage. Section 8, Ch. 119, 2008 Laws of Maryland at 765, contains provisions in regard to the lot coverage requirements of Natural Resources Article §8-1808.3 which may be applicable to this subdivision. Under these provisions, a development project whose initial application for development that satisfies all local requirements is filed by October 1, 2008 and whose development plan is approved (recorded) by July 1, 2010 may utilize The Town of St. Michaels' approved impervious surface area limitations in effect prior to July 1, 2008 provided that:

- a) The approved development plan remains valid in accordance with The Town of St. Michaels' procedures and requirements; and
- b) By July 1, 2010, the applicant prepares a detailed lot coverage plan drawn to scale and showing the amounts of impervious surface area, partially pervious area, and developed pervious surface area in the development project.

In addition to (a) and (b) above, Section 8, Ch. 119, 2008 Laws of Maryland at 765 requires the lot coverage plan to be approved by the Town of St. Michaels and implemented in accordance with the approved lot coverage plan. Should the applicant intend to develop this subdivision in accordance with the Town's impervious surface area limitations, please indicate that intent and ensure that the applicant is aware of the requirements of Chapter 119 of the 2008 Laws of Maryland for proceeding as such.

Nick Kelly, Ph.D
Natural Resource Planner
Critical Area Commission
Chesapeake and Atlantic Coastal Bays
(410) 260-3483
(410) 974-5338 (f)

9/17/2008



TOWN OF NORTH EAST

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Date: September 17, 2008
To: Larson Investments, LLC
Frederick Ward Associates
Cc: Transviron, Inc.
From: Betsy Vennell, Director of Planning
Re: Lots 98,99,100

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SEP 19 2008

CRITICAL AREA COMMISSION

Pursuant to my review of the infill applications for the above referenced lots in North East Isles, I have the following comments:

Critical Area Plan:

1. Lot98 house footprint does not match that of the infill application. Revise lot 98 house and porch footprint to be identical with Critical Area plan.
2. Add note: Elevation Certificate shall be submitted to the Town of North East when the basement floor is poured to verify that the elevation of the basement is at a minimum of 13 foot FPE "Flood Protection Elevation".
3. Add note: Electrical lines run from the transmitter shall be encased in conduit in order to floodproof.
4. Add note: The base of the electrical panel box(s) and heat pumps shall be a elevated to a minimum of 15 feet NGVD and shall be confirmed on the elevation certificate submitted to the Town.
5. Add note: The electrical outlets shall be elevated to a minimum of 13 feet NGVD and shall be confirmed on the elevation certificate submitted to the Town.
6. The Critical Area Site plan dated 4/22/2008 states in note 9: lot 98 and lot 100 do not have an approved pier permit, however lot 99 does have approval. Note 11 states: all three piers shown on the plan are not approved and will have to be applied for by the property owner. The notes shall be corrected on the critical area plan.
7. Trails: Trails down to the edge of the water have been proposed. Note 8 on the critical Area Site Plan states that no trees will be removed as part of this trail process, and if a tree is removed it will be replaced at a 2:1 ratio. The Statements are contradictory. Remove the statement: Specify on the critical area what the trails shall be constructed of and deep the trail material will be (if stone or gravel).



8. Site data note states that the tree clearing does not include the clearing of lot 97 and 98 stabilization clearing. Where is the mitigation plan for the revetment and stabilization plan?
9. Add note: Decks shall be constructed to remain pervious, with spacing between boards and a six inch pea gravel base under each proposed deck. Decks shall not be permitted to have roofs.
10. Add signature boxes: North East Planning Commission Chairman, North East Planning Commission, Director of Planning.
11. Lot Coverage Plan (referred to in the September 15, 2008 Critical Area Commission letter:

NorthEast Zoning Ordinance: Critical Area Regulations, Chapter 12. Limited Density
 "Manmade impervious surfaces shall not exceed 15% of the portion of the lot or parcel within the Critical Area proposed to be developed except for the following:
 (c) If an individual lot one acre or less in size is part of a subdivision approved after December 1, 1985, man made impervious surfaces of the lot may not exceed twenty-five percent (25%) of the lot. However, the total of the impervious surfaces of the entire subdivision may not exceed fifteen (15%) percent."

It is noted that the Critical Area Plan shows impervious surface calculations, however, applicant shall submit updated numbers to identify the following percentages as well as to identification of driveway credits (if any); identify sidewalk calculations and retaining wall impervious surface calculations. The "Lot Coverage" information is needed pursuant to the letter from the Critical Area Commission dated September 15, 2008, and regulations herewith attached.

| Lots 98,99,100 | Impervious Surface Coverage permitted | Impervious Surface Coverage Proposed: Square footage and percentage |
|--|---------------------------------------|---|
| Lot 98 .87 acres | 25% | |
| Lot 99 .46 acres | 25% | |
| Lot 100 1.02 acres | 15% | |
| Road, total of three lots above 2.35 acres | 15% for entire development | |

12. Buffer Management Plan: A buffer management plan has been submitted to the Critical Area Commission and awaits approval. Approval shall be required prior to approval of a construction authorization.

Revetment and Retaining Wall Plan:

1. State on Plan: Purpose of the retaining wall. Height of the retaining wall.
2. Bank stabilization plan shall reference the approval date and number from MDE.

Construction Authorizations:

1. Approval of the following plans is required prior to the submission of a construction authorization:
 - a Infill plan
 - b critical area plan/mitigation plan
 - c impervious surface calculations
 - d Buffer Management Plan
 - e Revetment and stabilization plan
 - f Water utility plan
2. Executed Public Works Agreement shall be required prior to endorsement of approval on all plans.
 - a approval of the revetment/bank stabilization plan and their letter which endorses the approval and permit.
 - b Utility and Maintenance agreements.
3. Deed restrictions required: (Town needs evidence of prior to receipt of an approved construction authorization):
 - a MDE Requirement: (letter dated Feb. 20, 2008) Deed restriction that would preserve the undisturbed area of lot 100, 23w5 of the delineated non-tidal wetland in perpetuity on the recorded plat.
 - b Decks on homes of lot 98,99,100 shall be prohibited to be enclosed, per the Chesapeake Bay Critical Area Regulations.
 - c Declaration of Restrictive Covenants
 - d Decks on homes of lot 98,99,100 shall be prohibited to be enclosed, per the Chesapeake Bay Critical Area Regulations.
4. Sprinklers: The houses shall be required to have sprinkler systems. Three sets of sprinkler plans shall be included with each construction authorization package submitted.
5. Elevation Certificates: An elevation certificate is on file for each of the three lots, however, an elevation certificate shall be required when the site has been graded to confirm the elevation of the grade remains at thirteen feet or greater. It shall be noted that a second elevation certificate shall be required as soon as the basement floor is poured to verify the elevation of the basement is thirteen feet or greater. If the elevation certificate does not support this elevation, a stop work order shall be issued until the floodplain regulations are met.

3. Agency Letters: It shall be noted that prior to the receipt of an approved construction authorization from the Town, conditions stated in letters from the Critical Area Commission dated March 19, 2008, March 27, 2008 and MDE letter dated February 20, 2008 shall be satisfied and evidence thereof shall be submitted to the Town.

4. Location Survey: Sediment and erosion survey shall be submitted with each construction authorization submitted and shall be used to verify the placement of the house is pursuant to the approved plans.

Occupancy permits:

2. Water As built plans shall be submitted to the Town of North East in accordance
3. Sewer As built: Submit two approved (approval from CCDPW) copies to the Town of North East
4. A boundary survey shall be required prior to occupancy on each of the three homes to verify the structures are within the required setbacks. The boundary survey shall include the original building envelope as shown on the recorded subdivision plat.
5. If the requirements as outlined on the infill application and approval of the Planning Commission are not adhered to during construction, occupancy permit shall be denied.
6. An elevation certificate was to be submitted at the pouring of the basement floor. If the elevation of the basement is not thirteen feet or greater, occupancy permit will be denied.

Betsy Vennell

From: "Kelly, Nick" <NKelly@dnr.state.md.us>
To: "Betsy Vennell" <bvennell@northeastmd.org>
Sent: Wednesday, September 17, 2008 9:32 AM
Subject: Lot Coverage Language

The subdivision plat must contain information regarding existing and proposed lot coverage. Section 8, Ch. 119, 2008 Laws of Maryland at 765, contains provisions in regard to the lot coverage requirements of Natural Resources Article §8-1808.3 which may be applicable to this subdivision. Under these provisions, a development project whose initial application for development that satisfies all local requirements is filed by October 1, 2008 and whose development plan is approved (recorded) by July 1, 2010 may utilize The Town of St. Michaels' approved impervious surface area limitations in effect prior to July 1, 2008 provided that:

- a) The approved development plan remains valid in accordance with The Town of St. Michaels' procedures and requirements; and
- b) By July 1, 2010, the applicant prepares a detailed lot coverage plan drawn to scale and showing the amounts of impervious surface area, partially pervious area, and developed pervious surface area in the development project.

In addition to (a) and (b) above, Section 8, Ch. 119, 2008 Laws of Maryland at 765 requires the lot coverage plan to be approved by the Town of St. Michaels and implemented in accordance with the approved lot coverage plan. Should the applicant intend to develop this subdivision in accordance with the Town's impervious surface area limitations, please indicate that intent and ensure that the applicant is aware of the requirements of Chapter 119 of the 2008 Laws of Maryland for proceeding as such.

Nick Kelly, Ph.D
Natural Resource Planner
Critical Area Commission
Chesapeake and Atlantic Coastal Bays
(410) 260-3483
(410) 974-5338 (f)

9/17/2008



TOWN OF NORTH EAST

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September 2, 2008

Ms. Kate Schmidt
Natural Resource Planner
State of Maryland Critical Area Commission
Chesapeake and Atlantic Coastal Bays
1804 West Street, Suite 100
Annapolis MD 21401

RE: North East Isles, Lot 98,99,100

Dear Katc,

Attached please find two copies of the following which I request the Commission's comments for:

- 1) infill applications for the proposed structures
- 2) Lot area table per plat dated 9/5/2006 entitled "critical area plan".

In addition:

Stormwater Management Plans: Attached please find two copies of an approved stormwater management plan for these three properties. I am concerned because I have a letter from you dated May 13, 2008 entitled "revised stormwater management plans". I am unsure if the attached approved plans (dated 2007) and the plans you are referring to in your May 13, 2008 letter the same plans? Please advise.

Infill Application: The Planning Commission will look at the aesthetics of the proposed structure, roof, etc. However, the infill project also includes porous pavers, decks, etc. Can you please advise whether the stormwater run off for this proposal is in compliance with the regulations and other approvals or plats previously submitted?

Critical Area Plan: I have a cc of a letter dated April 21, 2008 from Frederick Ward Associates, which responds to your March 19, 2008 letter. Can you please advise whether the response letter from Frederick Ward is satisfactory and whether the Commission has approved the critical area plan?

Landscape/mitigation plan: Can you please advise whether the tree replacement plan has been approved? The Town will obtain a letter of credit for the landscape prior to the release of a building permit.

I look forward to your response.

Sincerely yours,

Betsy Vennell
Betsy Vennell
Director of Planning

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SEP 4 2008

CRITICAL AREA COMMISSION
Chesapeake & Atlantic Coastal Bays

The Town of North East is an "Equal Opportunity Employer"

Member of The North East Chamber of Commerce



178-00
396-98
424-06
491-90

Betsy Vennell

From: "Karen Walker" <karen@larsonsinvestments.com>
To: <bvennell@northeastmd.org>
Sent: Friday, August 15, 2008 8:57 AM
Attach: SWM1.PDF; SWM2.PDF; SWM3.PDF
Subject: Lot 98,99,100 Larson Property North East Isles

Betsy,

I wanted to make sure you have a copy of the most recent signed plans we have received.

Attached are the Stormwater Management Plans. On sheet SWM2 the rooftop rainfall runoff has been addressed. We are going to be using the dry well method.

I will be sending the Sewer Extension in another e-mail.

If you have any other questions or concerns, feel free to contact me at the office.

Thank You,
Karen Walker
Larson's Investments

8/15/2008



FREDERICK WARD ASSOCIATES

ARCHITECTS

ENGINEERS

PLANNERS

SURVEYORS

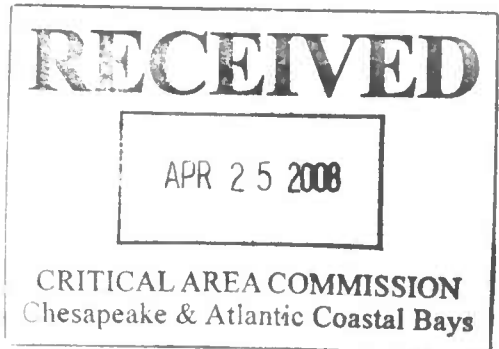
P.O. Box 727, 5 South Main Street
Bel Air, Maryland 21014-0727
410-879-2090
410-893-1243 fax

www.frederickward.com

April 21, 2008

Kate Schmidt
Natural Resource Planner
State of Maryland Critical Area Commission
Chesapeake and Atlantic Coastal Bays
1804 West Street, Suite 100
Annapolis, Maryland 21401

Re: North East Isles
Lots 98, 99 & 100
Cecil County, Maryland
FWA #: 2061068.00



Dear Ms. Schmidt,

This is in response to the comments sent by you in a letter dated March 19, 2008 to Ms. Betsy Vennell regarding the Variance Case for the above referenced project.

1. The development table states that 0.65 acres will be impacted on Lots 98, 99 and 100. Additionally, 0.24 acres will be impacted to improve the access road and construct the shoreline erosion control measure on Lots 97 and 98. It is unclear what types of improvements for the access road are planned. Will the road be widened? Or do the improvements consist only of replacement of the existing surface area? It is important to clarify the types of impacts in order to determine the amount of mitigation to require as a component of the variance.....

FWA Response: The projects access road will remain in the same location and will be widened in certain locations. This road will be paved over in the existing and proposed road areas. .

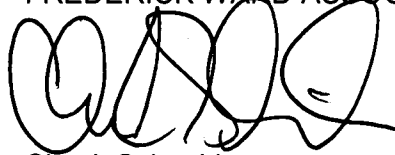
- 2 & 3. I have enclosed a chart with all the impacts broken down in their appropriate categories. This development chart shows that the building area for the three houses location will remove 26 trees. These will be replaced at a 3:1 ration located on Lot 100. The rest of the development (driveways/access road/shoreline clearing and improvements) will impact 0.62 acres which will be mitigated onsite with plantings on Lot 98, 99 and 100 and along the access road easement. These proposed plantings will occur with tree and shrub species infilling open areas within the overall project area.

The accompanying revised Tree Replacement Plan will show where the proposed plantings will be located. Not all the proposed plantings can occur onsite, so the remained acreage will be paid into the Town's Critical Area Fund (4,018 s.f./ 9 trees 2"cal./ \$1,485.00). Protection of these newly planted tree and shrubs will be in the form of restrictions placed on the plats on all three of the lots. These restrictions will be agreed upon by the Town, MDE and your office before they placed on the plats.

Ms. Schmidt
April 21, 2008
Page 2

Please feel free to contact me if you have any questions or comments regarding the information being submitted. Thank you for all of your help.

Sincerely,
FREDERICK WARD ASSOCIATES

A handwritten signature in black ink, appearing to read 'CS', with a stylized flourish at the end.

Chuck Schneider
Environmental Project Manager

Cc: Lee Larson (Larson Investment,LTD)
Mary Ann Skilling (CBCA Commission)
Betsy Vennell (Town of Northeast)

| North East Isles | | Lot 98 | Lot 99 | Lot 100 | Lot 97 | AMTRAK | Total | Mitigation | Provided |
|-----------------------|------------|------------|------------|------------|------------|------------|--------------------|------------------------|----------|
| Building | | 1,457 s.f. | 1,743 s.f. | 1,517 s.f. | | | 4,717 s.f. (14151) | 3 trees/1 tree removed | 8000 |
| Parking Area | | 586 s.f. | 394 s.f. | 494 s.f. | | | 1,474 s.f. | 4,422 s.f. | |
| New Access Road | | 2,087 s.f. | 208 s.f. | 470 s.f. | 942 s.f. | 2,345 s.f. | 6,052 s.f. | 18,156 s.f. | |
| Shoreline SE Controls | 1,263 s.f. | | | | 102 s.f. | | 1,365 s.f. | 1,365 s.f. | |
| Clearing | 1,332 s.f. | | | | 1,769 s.f. | 142 s.f. | 3,243 s.f. | 3,243 s.f. | |
| | | | | | | | | 27,186 s.f. | |
| | | | | | | | | 0.62 ac. | |

Provided in planting
26360 credit

+ 14619 feet in - 11.00

40969
provided / 41337
108' d
↑

for 3:1
imp sup
in buffer



FREDERICK WARD ASSOCIATES

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Bel Air, Maryland 21014-0727
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September 14, 2007

Amanda Sigillito
Environmental Specialist
Maryland Department of the Environment
Nontidal Wetlands and Waterways Division
1800 Washington Boulevard, Suite 430
Baltimore, MD 21230-17108

Re: Bldg Structures & Reventment
North East Isles/Larsons Investments
Cecil County, Maryland
Permit Tracking #: 200762272/07-NT-0160

Dear Ms. Sigillito:

This letter is in response to the comments sent by you in a letter dated June 21, 2007; they are as follows:

1. *Due to the dark shading utilized on the site plan and impact sheets, it is difficult to see the limits of the nontidal wetland and buffer that would be affected by the proposed impacts. Please submit a site diagram showing these state regulated resources without the impact overlays. The verification of wetland limits cannot be completed until this is received.*

FWA Response: A drawing clearly depicting these areas will be submitted.

2. *During the May 7, 2007 pre-application meeting it was discussed that the owner was going to have a geotechnical engineer evaluate the proposed driveway to determine if the slope stabilization was needed. Once that evaluation is completed please provide a copy of the findings. If the stabilization is not needed for safety and engineering reasons, the impact to the wetland should be avoided.*

FWA Response: The evaluation has been completed and found that the slope below the driveway is stable. The only stabilization needed is to anchor the toe of the slope. The revised 8.5x11 shows the proposed work recommended by the evaluation.

3. *Any wetland loss within the critical area requires mitigation. If it is determined that the slope stabilization activities are necessary, a wetland mitigation plan should be submitted.*

FWA Response: 1,422 s.f. (0.03 ac) of nontidal wetland will be impacted by the slope stabilization. Since the site is heavily forested within the environmentally

sensitive areas, there is no location onsite to create wetland mitigation. In order to meet the mitigation requirement, the owner will pay a fee-in-lieu for the loss of wetland habitat.

Reforestation plantings will occur in the nontidal wetland area located in the western portion of the site. This area contains various herbaceous species along with large canopy trees, and the soil is very sandy. This area has been visited at various times of the year, and no standing water or seep area exists in this location. Hydrophytic woody species, such as Red Maple, Boxelder, Serviceberry, and Redbud will be planted in the open areas to make a thicker canopy and shrub area within the 100-foot limit of the tidal waters. These plants will be installed with a shovel and the soil will go back in to the same hole.

4. *Please provide proposed erosion and sediment control plans for the complete and entire project. The plans must show all nontidal wetlands, 25-foot wetland buffers, waterways, 100-year floodplains and the limits of disturbance for all proposed activities. The plans should also include a construction schedule and sequence of construction.*

FWA Response: These plans are in the process of being approved by the Cecil County Soil Conservation District. A set will be forwarded once they are approved.

5. *This project is also under review by the Tidal Wetland Division. Any additional comments from them will be sent under separate cover.*

FWA Response: No comments have been received at this time from MDE Tidal Division.

Please feel free to contact this office if you have any questions or comments regarding the information being submitted. Thank you for all of your help.

Sincerely,

FREDERICK WARD ASSOCIATES, INC.



Jennifer Smith
Environmental Technician

cc: Mr. Lee Larson
Steve Elinsky (COE)
Betsy Vennell (Town of North East)
Kate Schmidt (CBCA)



Maryland Department of Planning

June 12, 2006

Robert L. Ehrlich, Jr.
Governor

Michael S. Steele
Lt. Governor

Audrey E. Scott
Secretary

Florence E. Burian
Deputy Secretary

Ms. Betsy Vennell
Zoning Administrator
Town of North East
106 Main Street
P.O. Box 528
North East, MD 21901

Re: Lots, 98, 99, 100

Dear Betsy:

I've reviewed the plans for the extension of water and sewer to the above mentioned properties. The plans as presented do not contain sufficient details to adequately review the project. In order to provide a thorough review of this project for Critical Area compliance, the following will be necessary:

1. The Critical Area designation and all Buffers (including expanded Buffers for steep slopes greater than fifteen percent, hydric soils or highly erodible soils) must be identified on the plan. As stated in Section 6-10 (a) "The Buffer shall be expanded four feet for every percent of slope over fifteen percent or to the tope of slope, which ever is greater, but in no case more than ten feet beyond the top of the slope greater than fifteen percent."
2. Parcels 98, 99, and 100 are designated Limited Development Area (LDA) and are subject to impervious surface limitations. The total impervious area of the road surface must be calculated and included on the plan.
3. An environmental assessment of the impacts to the Buffer and any other Habitat Protection Area as designated in the Town's Critical Area Program must be provided. In 1990 the Department of Natural Resources, Wetlands and Waterways Program identified a concern for the filling of the tidal wetlands and its impact on a State listed threatened species, the Maryland Bur-marigold (*Bidens Bidentoides*), as part of the construction of an access road to lots 98, 99 and 100. The plant species is known to exist in the tidal wetland areas at the base of steep slopes which line the waterfront portions of the site. The existence of this or any other threatened or endangered species must be addressed.
4. The area for the proposed retaining wall, including, height, required fill, construction material must be provided. The retaining wall and fill in tidal

wetlands will require a permit from the Maryland Department of Environmental prior to any construction on this site.

5. The plans are not clear on the road width although the plan indicates the "area of proposed retaining wall for road widening". The road location, area of expansion, limits of disturbance, and dimensions with cross section must be included.

Once these items are addressed, I will be happy to review the project for Critical Area Compliance. Should you have any questions, feel free to contact me.

Sincerely,

Mary Ann Skilling
Critical Area Planner

Copy: Kate Schmidt, CAC



FREDERICK WARD ASSOCIATES

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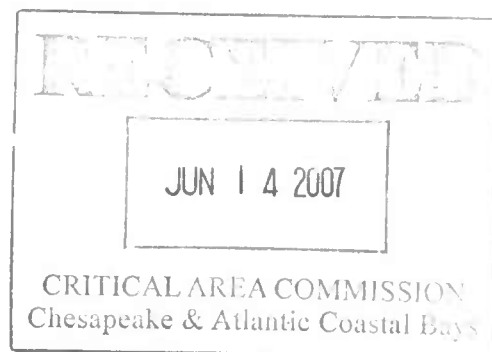
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June 6, 2007

Kate Schmidt
Natural Resource Planner
State of Maryland Critical Area Commission
Chesapeake and Atlantic Coastal Bays
1804 West Street, Suite 100
Annapolis, Maryland 21401

Re: North East Isles
Lots 98, 99 & 100
Cecil County, Maryland
FWA #: 2061068.00



Dear Ms. Schmidt,

This is in response to the comments sent by you in a letter dated April 11, 2007 to Ms. Betsy Vennell regarding the Critical Area Plan and the Tree Survey/Tree Removal/Tree Replacement Plan for North East Isles Lots 98, 99 & 100.

1. As stated previously, the applicant must obtain a variance for impacts to the expanded 100-foot Buffer and for impacts to steep slopes for the retaining wall. I recommend additional information, perhaps review by Cecil County Soil Conservation District, be provided to demonstrate the amount of grading of steep slopes proposed is the minimum necessary.

FWA Response: The applicant plans on obtaining a variance for the impacts within the 100-foot buffer and to the steep slopes. A geotechnical survey will be completed on the bank to determine the stability of the soil in the areas of the proposed driveway.

2. The Environmental Assessment correctly proposes 3:1 replacement, or 78 trees, for clearing in the Buffer for the three home sites. Additionally, the area of disturbance for shoreline stabilization is 4,980 square feet and must be mitigated at a ratio of 1:1. However, the proposed planting plan does not follow Critical Area Commission guidance and may potentially be inadequate to address the total impacts.
 - a. Typically, red maple is considered a large tree and planted at 2-inch caliper and 10-foot center spacing equal to 100 square feet of disturbance. Serviceberry, red bud and box elder are general considered small trees and usually grouped with larger trees for increased credit. For instance, 1 large tree and 2 small trees (or 3 shrubs) can be credited as 400 square feet. In this instance, the applicant counted 26 trees to be replaced at 3:1. This may be accomplished with either 78 large trees, or with a combination of large and small trees or shrubs for 7800 square feet.

- b. The 4,980 square feet of disturbance which must be mitigated at 1:1 ratio can be done with either 50 large trees (100 square feet credit per tree) or the grouping described above for a credit of 400 square feet per group.
- c. Lastly, if the applicant chooses the grouping method, large trees must be spaced 20-feet on center and small trees spaced 10-feet on center. While we recommend that plantings be provided on-site, if there is insufficient room to accommodate all of the material then the remainder should be provided off-site or as fee-in-lieu.
- d. Restriction should be placed on the existing forest and the newly planted areas.

FWA Response: We have revised the plans to show a grouping method of mitigation plantings, including 33 large trees (red maples), and 64 small trees (serviceberry, red bud, box elder). All required tree species will be planted onsite and are shown on the enclosed plan.

- 3. The impervious surface limit for the three lots and private access road is 15% total as well as 15% per lot. It appears the applicant is meeting this limit. I recommend a note stating the 15% impervious surface limit be placed on the site plan.

FWA Response: A note has been added to the plan stating that the 15% impervious surface limit has been met.

- 4. In order to maintain the 15% impervious surface limit, the decks should be constructed to be and remain pervious, with spacing between the boards, a gravel substrate and vegetative stabilization at the perimeter.

FWA Response: A note has been added to the plan to ensure that the decks will be constructed to maintain the 15% impervious surface limit.

- 5. We recommend the applicant provide copies of permits for pier installation to the Town prior to construction. If additional clearing for their construction is required than that currently proposed, mitigation should be provided at a ratio of 2:1. The North East River is considered anadromous fish propagation waters and work is restricted within tidal waters from March 1 to June 15.

FWA Response: At this time, only Lot 99 has an approved pier permit. The other two lots will have their pier applied for by their future owners. The Town has copies of the approved pier permit. No additional clearing should take place; however, if for some reason clearing does occur it will be mitigated for. No work will occur during the restricted time period.

Ms. Schmidt
June 6, 2007
Page 3

6. The Environmental Assessment states that the project will impact the nontidal wetland buffer in two areas of the existing access lane and from shoreline stabilization. Impacts to nontidal wetlands require a Maryland Department of Environment (MDE) nontidal wetland permit. Additionally, it appears that the proposed grading or trail access on Lot 100 may impact a nontidal wetland buffer, which may also require a permit from MDE.

FWA Response: A nontidal wetland application has been submitted to Maryland Department of the Environment (MDE) for proposed disturbances to nontidal wetlands, 25-foot wetland buffers and 100 year floodplain located on the subject property. Once these permits are obtained copies will be provided to the Town. ✓

7. Sediment and erosion and stormwater plans for the entire site must be received prior to final approval.

FWA Response: Approved plans will be forwarded to your office once they are received. ✓

8. Proposed trails for water access should be limited to 3 feet in width rather than 5 feet to further minimize disturbance and clearing in the Buffer and on steep slopes.

FWA Response: The proposed trails have been revised to be 3 feet in width rather than 5 foot width that was previously shown. Also, a note has been included on the plan to state the trail width and that no clearing is proposed as part of these onsite trails. ✓

Proposed nontidal wetland disturbances have been reduced due to a calculation error, and 25-foot buffer disturbances have gone up slightly.

Please feel free to contact this office if you have any questions or comments regarding the information being submitted. Thank you for all of your help.

Sincerely,
FREDERICK WARD ASSOCIATES



Bradley S. Tully
Environmental Scientist
btully@fredward.com

Cc: Lee Larson (Larson Investment, LTD)
Mary Ann Skilling (CBCA Commission)
Betsy Vennell (Town of Northeast)



FREDERICK WARD ASSOCIATES

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ENGINEERS

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March 14, 2007

Kate Schmidt
Natural Resource Planner
State of Maryland Critical Area Commission
Chesapeake and Atlantic Coastal Bays
1804 West Street, Suite 100
Annapolis, Maryland 21401



Re: North East Isles
Lots 98, 99 & 100
Cecil County, Maryland
FWA #: 2061068.00

Dear Ms. Schmidt,

This is in response to the comments sent by you in a letter dated October 17, 2006 to Ms. Betsy Vennell regarding the Critical Area Plan for North East Isles Lots 98, 99 & 100; they are as follows:

1. It appears that the forest clearing on Lot 100 could be minimized. However, if the applicant demonstrates clearing and grading is necessary for the stability of the proposed dwelling, then a portion of the required mitigation plantings may occur in this area.

FWA Response: A Tree Survey has been completed on lots 98, 99 and 100 in the areas where the houses/driveways/decks and walks will be constructed. There will only be a few trees removed for clearing and grading. A portion of the required mitigation plantings will occur within Lot 100, they have been shown on the enclosed Tree Survey/Tree Removal/Tree Replacement Plan. SCD

2. The total mitigation provided under the proposed lot data chart is incorrect. Given that all three lots are entirely within the 100-foot Buffer, mitigation must occur at a 3:1 ratio for the entire area disturbed. The site data states that the area of impact within the expanded Buffer is 0.66 acres; therefore the total mitigation required will be 1.98 acres. I recommend at least a portion of this mitigation occur on site, as mentioned above.

FWA Response: This discrepancy has been revised and mitigation is now shown at a 3:1 ratio for the trees being removed for the proposed dwellings (26 removed / 78 replanted) and 1:1 for shoreline stabilization (.11 acres removed / .11 acres replanted (41 trees)). All mitigation for these areas will occur onsite within the extended Buffer. ✓

3. I recommend the applicant consider a community pier and single access point for the three lots in order to reduce the mitigation requirement. While access to piers through the Buffer is permitted, any proposed clearing or removal of trees will have to be mitigated at a 2:1 ratio. If the developer does not provide a single community pier, the location of the piers and access to each pier must be shown on the plan and mitigation for Buffer disturbance provided at the 2:1 ratio for all disturbances.

FWA Response: Each lot will have separate trails accessing their own private piers. No clearing or tree removal will be necessary to access these piers and therefore no mitigation for these areas will occur. Each pier and access trail has been shown on the Critical Area Plan.

4. It is our understanding that the applicant has applied for an MDE permit for a revetment along the shoreline but no longer plans to construct the revetment.

FWA Response: The bank and surface are stabilized with trees and various understory vegetation, along with areas which have previously been stabilized with 8-12" stone. However, in a meeting with Mr. Rick Ayella our client was advised that placing the 350 feet of riprap revetment as proposed in permit 06-GL-1343 would help to protect the toe of the bank and therefore prevent any future eroding of the slope. Therefore, the applicant (Mr. Larson) is still planning to construct the revetment based on Mr. Ayella's opinion and it has been shown on the enclosed Critical Area Plan.

5. How will the roadway be stabilized? Previously the MDE permit application showed grading in the Buffer down to the revetment to stabilize the road. If grading is required for the road, the limit of disturbance will need to be expanded and included in the mitigation ratio.

FWA Response: The existing rip-rap shown on the Critical Area Plan will be utilized to stabilize the roadway, it will also be necessary to grade within the Buffer for stabilization. The plans now show the limit of disturbance expanded to encompass these areas. The plan is proposing 0.11 acres of clearing within this area, to be replaced at a 1:1 ratio.

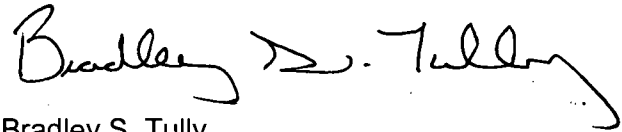
6. Stormwater and sediment and erosion control permits must be obtained prior to final site plan approval.

FWA Response: All stormwater and sediment and erosion control plans will be submitted upon completion with the appropriate signatures and permits.

Please feel free to contact this office if you have any questions or comments regarding the information being submitted. Thank you for all of your help.

Sincerely,

FREDERICK WARD ASSOCIATES

A handwritten signature in black ink, reading "Bradley S. Tully". The signature is fluid and cursive, with the first name "Bradley" being more prominent and the last name "Tully" following in a similar style. There is a small mark above the "S" in "Tully".

Bradley S. Tully
Environmental Scientist
btully@fredward.com

Cc: Lee Larson (Larson Investment, LTD)
Mary Ann Skilling (CBCA Commision)
Betsy Vennel (Town of Northeast)



FREDERICK WARD ASSOCIATES



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RECEIVED

MAR 02 2007

March 2, 2007

NORTHEAST TOWN HALL

Ms. Betsy Vennell
North East Planning Commission
Town Hall
P.O. Box 528
North East, Maryland 21901

Re: North East Isles Lots 98, 99 & 100
Water Main Extension

Dear Ms. Vennell:

We have address the Town's comments related to the referenced water main extension as contained in the letter dated December 18, 2006. Please find attached five (5) sets of plans for dispersion and review. Also included are five (5) sets of drive way plans for Town review.

We met with Town Engineer Mr. Sam Jenkins of Transviron to review the comments related to water extension. The plan revisions reflect our agreement or understanding with respect to the comments. Due to the fire department's request, we have enlarged the water line to 6" and added a fire hydrant. This resulted in the need to connect to the existing water main further away at the cul-de-sac of North East Drive.

We have addressed the water comments as follows:

1. We have lowered the water man between STA 4+50 and 5+81 to eliminate the high point there.
2. The proposed 2" San. F.M. will be encased due a clearance of less than 10 feet.
3. The water main was increased to 6" and a fire hydrant was installed.
4. Note 22 was completed to add working and test pressures.
5. The slope will be stabilized as requested. Plans of these will be submitted under separate cover.
6. A 20-foot wide utility easement straddling the actual pipe alignment is shown and will be deeded and recorded. The retaining wall and drive way will be constructed by the owner; however, this work is not part of the water main work.
7. See the attached drive way plans show the paving detail for the private road.
8. The utility easement documents are being prepared and will be submitted when completed.

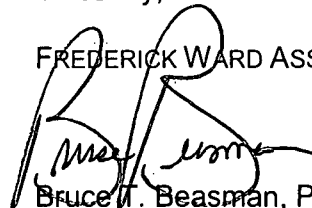
Ms. Betsey Vennell
North East Isles Lots 98, 99 & 100 Water Extension
March 2, 2007
Page Two

21. A blow-off at the water main terminus is not necessary in that a fire hydrant is being provided nearby.
23. The revision # and date have been added to all plans.

We trust that the water main plans meet the Town's concurrence and we look forward to approval. Please feel free to call should you have any questions or comments.

Sincerely,

FREDERICK WARD ASSOCIATES, INC.



Bruce T. Beasman, P.E.
Project Manager

Pc: Mr. Lee Larson
Mr. Sam Jenkins

5/99

CRITICAL AREA BUFFER MANAGEMENT PLAN

The following form should be completed by the property owner, or responsible party, for any disturbance of natural vegetation or construction within the Critical Area Buffer. Once completed, and approved, this form will constitute your Buffer Management Plan and will provide our office with an official record of your proposed Buffer impacts and the way in which you plan to meet any required offsets (mitigation).

Property Background Information

Property Owner (or Contact) : Mr. Lee Larson
Property Owner's address: P.O. Box 168 Childs, MD 21916
Property Owner's (or Contact's) Phone: 410-392-5175
Project Address (if different): North East Isles Drive

Tax Map # 31 Block # Parcel # 1243 Section # Lot # 98, 99 & 100

Proposed Buffer Disturbance

☒ New development/redevelopment (e.g., new building, addition to home, replacement of structures).

☒ Shore erosion control

☐ Shore access

☐ Other (please explain) _____

Is the property in a designated Buffer Exemption Area (BEA)? Yes ☐ No ☒

Are there any special plat notes or restrictions concerning your Buffer (ex. wetlands, habitat protection areas, conservation easements) ? Yes ☐ No ☒

If yes, please explain: _____

Please provide a brief explanation of your proposed project in the space below. Include area and/or no. of trees cleared as well as the type of equipment that will be used.

Three examples follow:

1) 600 square feet partially cleared for shore access with hand tools; canopy will be maintained; disturbance will be limited to three saplings and several shrubs; and path will consist of wood chips.

2) Removal of poison ivy from 2000 sq. feet area along shore access path; method of removal includes hand pulling and chemical spraying of individual plants with an approved herbicide; any resulting bare areas will be mulched to prevent soil erosion and to prevent reestablishment of invasives. There will be no removal of trees or shrubs.

3) A variance was granted to build a new house on a grandfathered lot in the Buffer. The area permanently impacted in the Buffer will be 4,000 square feet, including the

area of the house and a fifteen foot clearing around the house. The lot is entirely forested. A bulldozer will be used for site preparation.

Proposed Project See attachment

Justification - See attachment

What are the long-term management plans for this area? - See attachment

Calculation of Mitigation

The following three step process is used to compute the amount of mitigation needed for impacts to the Buffer. For the purposes of this Buffer Management Plan, mitigation is defined as plantings or similar offsets which will help to negate the effect of the Buffer disturbance. To determine the amount of mitigation for your Buffer disturbance you need to determine the following:

1. Amount of buffer disturbed for clearing, grading, and placement of new structures, etc.;
2. Mitigation ratio for the type of Buffer impact;
3. Mitigation amount calculated by multiplying the area disturbed by the mitigation ratio.

Step 1 Amount of buffer disturbance

There are two ways to calculate the amount of disturbance in the Buffer. Buffer disturbance is based on either the area disturbed or the number of individual trees that will be cut. It is recommended that when an area to be disturbed more closely resembles a natural forest (i.e. canopy cover with multi-layer understory) or when structures or other impervious surfaces are placed within the Buffer or a BEA, even if no trees are cleared, you should quantify the disturbance amount in *area cleared*. On the other hand, if your site more closely resembles a park setting (i.e., scattered trees with little or no understory), it is recommended that you count the *number of trees removed*.

26 trees cleared = 20 large and 39 small trees

NUMBER OF TREES CLEARED: # OF TREES

Step 2 Mitigation Ratios

Different types of Buffer management activities require different mitigation ratios. Higher ratios are used for activities that have a greater impact upon the buffer. The purpose of the mitigation is to improve the Buffer functions where possible. The table

below provides the mitigation ratio for different types of Buffer management activities.

| Type of Buffer Disturbance | Mitigation Ratio |
|---|------------------|
| New development/redevelopment (non-BEA) | 3:1 |
| New development/redevelopment (BEA) | 2:1 |
| Shore erosion control | 1:1 |
| Shore access | 2:1 |
| Other | * |

ALL
CLEANING
3:1

*Please consult with your local government Critical Area Planner if the purpose of your Buffer disturbance is in the *Other* category.

Mitigation Ratio = 3:1 (From the above table)

Step 3 Mitigation Amount

Mitigation Amount = (Sq. ft. or # of trees) X (mitigation ratio) = _____ Sq. ft. or # trees
= 26,917 s.f. of plantings

Buffer Planting Plan

This section is to help you provide more specific details on your mitigation location and plantings.

Planting Location

All mitigation should be located within the Critical Area in the following order of preference:

- * 1-On-site within the Buffer
- 2-On-site adjacent to existing Buffer
- 3-On-site within the Critical Area
- * 4-Off-site (follow order of preference 1-3 above)
- 5-Fee-in-lieu payment

CRITICAL AREA BUFFER MANAGEMENT PLAN

Proposed Project:

This project proposes to construct three houses on three grandfathered lots. There is an existing road onsite that needs to be upgraded and an open area that needs some additional clearing for the proposed houses. The clearing for the road improvements will be expanded for shoreline erosion control for the roadway protection. Three walkways from the houses to the individual piers are proposed, and encompass no (0) tree removal.

Justification:

The three lots are grandfathered and the property owner has the right to put a house on each lot and access the water. There are existing utilities nearby and a roadway onsite.

What is the long-term management plan for this area?:

No clearing, cutting or trimming on the lands of Lots 98, 99 and 100 shall be permitted. If there is a dead tree that poses a threat to life and property, the tree may only be removed at the recommendation of a State of Maryland Certified Tree Specialist and will also require prior authorization and a permit from the Town of North East.

To: Kate

APPLICATION OF

LEE LARSON

VARIANCE

RECEIVED

MAY 2 - 2008

CRITICAL AREA COMMISSION

BEFORE THE BOARD OF
APPEALS

TOWN OF NORTH EAST

CASE NO. A-2008-10V
CASE NO. A-2008-11-V
CASE NO. A-2008-12-V
CASE NO. A-2008-13-V

OPINION

Application of Lee Larson for variances from the Critical Area 160 foot extended Buffer for the purpose of construction of three single family homes sites and stabilization of access road on grandfathered lots located in the North East Isles Development. This action concerns property located in the North East Isles Development, Lots 97, 98, 99 and 100 located on parcel 1243 of Tax Map 31.

The authority of the Board of Appeals to hear and grant such request is found in Article 9, Section 9-17 of the Zoning Ordinance which states:

- "1. Such variance from the terms of this Ordinance as will not be contrary to the public interest where, owing to special conditions, a literal enforcement of the provisions of this Ordinance would result in unnecessary hardship.
2. That special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same district;
3. That literal interpretation of the provisions of this Ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this Ordinance.
4. That the special conditions and circumstances do not result from the actions of the Applicant;
5. That granting the variance requested will not confer on the applicant any special privilege that is denied by this Ordinance to other lands, structures, or buildings in the same zoning district nor will it be detrimental to adjacent properties.
6. The character of the district will not be changed by granting a variance. No nonconforming use or neighboring lands, structures, or buildings in the same zoning district and no permitted use of lands, structures, or buildings in other zoning districts shall be considered grounds for the issuance of a variance.
7. That the granting of the variance will be in harmony with the general purpose and intent of this Ordinance.

8. That the granting of the variance will not be injurious to the neighborhood, or otherwise detrimental to the public welfare;
9. The lack of knowledge of the restrictions shall not be considered as sufficient cause for a variance."

The authority of the Board of Appeals to hear and grant such request is also found in Article 9, Section 9-19(2) of the Zoning Ordinance which states:

"2. Standards: The provisions for granting such a variance shall include evidence submitted by the applicant that the following standards are met:

- a. That special conditions and circumstances exist that are peculiar to the land or structure involved and that a literal enforcement of the provisions and requirements of the Town's Critical Area program would result in unwarranted hardship.
- b. A literal interpretation of the provisions of the Critical Area Program and related Chapters will deprive the applicant of rights commonly enjoyed by other properties in similar areas within the Critical Area.
- c. The granting of a variance will not confer upon an applicant any special privilege that would be denied to other owners of like property and/or structures within the Critical Area District.
- d. The variance is not based upon conditions or circumstances which are the result of actions by the applicant, nor does the request arise from conditions relating to the land or building use either permitted or non-conforming on any neighboring property.
- e. That the granting of a variance will not adversely affect water quality or adversely impact fish, wildlife, or plant habitat within the Critical Area District, and that the granting of the variance will be consistent with the spirit and intent of the Town's Critical Area Program and associated ordinances.
- f. That greater profitability or lack of knowledge of the restrictions shall not be considered as sufficient cause for a variance."

Chuck Schneider of Frederick Ward Associates testified on behalf of the Applicant. He testified that Mr. Larson had purchased Lots 98, 99 and 100 for development. These are grandfathered lots and are provided access via a grandfathered driveway located on the subject parcels and adjacent Lot No. 97. He presented a plan showing existing features of the subject parcels, a plan showing proposed layout, and plans demonstrating the permitted building envelopes. He testified that the variance is requested to permit development of these grandfathered lots. The variance is also requested to permit stabilization of the lots as well as a driveway which provides access to the lots. The lots and the driveway will be developed as previously approved as they are grandfathered. He testified that the Developer will be required to obtain approval and permits from state agencies for the proposed stabilization as well as proposed development. He also testified that the Developer will comply with all

applicable Floodplain Regulations. The proposed housing style and site plans will be reviewed by the Planning Commission. He testified that the process of obtaining agency approvals will be lengthy and he believes that a five year variance is appropriate. Other agency permits are valid for a period of five years. He also testified that piers and walkways to the piers as depicted on the plans are not presented for approval. Building envelopes will remain as previously approved and the driveway will remain 10 feet in width and is proposed to be blacktopped and not increased in size. It is approximately 500 feet in length and Mr. Schneider testified that the properties will have parking for two vehicles on each site. He testified that he believed that the properties will be part of the Homeowner's Association and will have access to overflow parking in the development. Planting and wetland mitigation will be required and will be provided. All requirements of state and federal agencies will be met.

Mary Ann Skilling, Critical Area Circuit Rider, Maryland Department of Planning, testified that she had reviewed the proposed variance application and acknowledged that these were grandfathered lots. She submitted her letter dated March 27, 2008 as well as correspondence from Kate Schmidt, Natural Resource Planner for the Critical Area Commission. She testified that there will be planting and wetland mitigation requirements and hopes that utilities can be stacked within the driveway right-of-way. She also testified that James Tilley of the Maryland Department of the Environment had provided additional information to Betsy Vennell, Planning and Zoning Assistant, concerning this project. She requests that the Board consider taking these comments into consideration if a variance is granted.

Bill Kaelin, 212 North East Isles Drive, North East, appeared and commented that he was not certain that these lots would be part of the Homeowner's Association.

No one appeared or notified the Town Planning and Zoning Office in opposition.

With regard to the requested variance, the Board finds that the Applicant has presented evidence required by Article 9, Section 9-17 and Article 9, Section 9-19 of the Zoning Ordinance. The Board specifically finds that such a variance from the terms of this Ordinance will not be contrary to the public interest. There are special conditions which, if a literal enforcement of the provisions of this Ordinance are required, will result in unnecessary hardship. Further, the Board finds that special conditions and circumstances do exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same district. The Board does find that the conditions and circumstances which necessitate this Application do not result from the actions of the Applicant. The Board further finds that granting the variance requested will not confer on the Applicant special privileges that are denied by this Ordinance to other lands, structures, or buildings in the same zone. The Board further finds that a literal interpretation of the provisions of this Ordinance will deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of the Ordinance. Further, the Board finds that the granting of the variance would be in harmony with the general purpose and intent of the Ordinance.

The Board finds that the criteria of Section 9-17 have been met as outlined above, and the request for variances from the Critical Area 160 foot extended buffer for the purpose of construction of three single family homes sites and stabilization of access road on grandfathered lots located in the North East Isles Development are GRANTED for a period of five years, provided:

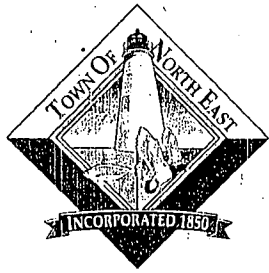
- 1) Applicant is required to comply with all conditions of the letter of Mary Ann Skilling, Critical Area Circuit Rider, dated March 27, 2008, attached hereto and incorporated by reference;
- 2) Applicant is required to comply with all conditions of the letter of Kate Schmidt, Natural Resource Planner, Critical Area Commission, dated March 19, 2008, attached hereto and incorporated by reference; Applicant is not permitted to enlarge the proposed driveway/access road for the Lots and is not granted authorization to construct walkways to piers and piers as depicted on plans submitted in connection with this approval,
- 3) Applicant is required to comply with all conditions of the letter of James Tilley, Maryland Department of the Environment, dated February 20, 2008 and subsequent e-mail dated February 20, 2008, both of which are attached hereto and incorporated by reference;
- 4) Applicant must comply with any conditions imposed by any state or federal agency; and
- 5) Applicant must comply with any Town inspection, permit, approval or comment from the Office of Planning and Zoning.

April 1, 2008

Date



Sue Fye
Vice-Chairperson



TOWN OF NORTH EAST

OFFICE OF PLANNING AND ZONING

106 South Main Street
P.O. Box 528
North East, Maryland
21901-0528



410-287-5801
410-287-8267 Fax



www.northeastmd.org

April 2, 2008

Mr. Lee Larson
Larson's Investments, LTD
PO Box 168
Childs MD 21916

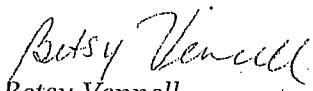
RE: North East Board of Appeals Opinions

Dear Mr. Larson,

Enclosed please find a copy of the opinion of the Board of Appeals outlining their decision concerning your variance applications heard on March 27, 2008.

If you have any questions regarding this opinion please feel free to contact me.

Yours truly,


Betsy Vennell
Planning and Zoning Assistant

Enclosure: Opinion

CC: Chuck Schneider, Frederick Ward Associates



Martin O'Malley
Governor

Anthony G. Brown
Lt. Governor



Margaret G. McHale
Chair

Ren Serey
Executive Director

STATE OF MARYLAND
CRITICAL AREA COMMISSION
CHESAPEAKE AND ATLANTIC COASTAL BAYS

1804 West Street, Suite 100, Annapolis, Maryland 21401
(410) 260-3460 Fax: (410) 974-5338
www.dnr.state.md.us/criticalarea/

March 19, 2008

Ms. Betsy Vennell
Zoning Assistant
Town of North East
P.O. Box 528
North East, Maryland 21901

RE: Variance Case #A-2008-10-V, 11-V, 12-V, & 13-V
North East Isles Lots 97, 98, 99, & 100

Dear Ms. Vennell:

Thank you for submitting the above referenced variance applications for review and comment. The applicant, Larson Investments, is seeking variances to develop three existing grandfathered lots with individual single family homes and to improve the existing access road within the 110-foot Buffer. The properties are designated as Limited Development Area (LDA) and lie entirely within the expanded 110-foot Buffer for steep slopes.

Provided the lots are properly grandfathered, this office does not oppose these variances to establish a dwelling on each lot. Based on the information provided, I have the following comments:

1. The development table states that 0.65 acres will be impacted on Lots 98, 99, and 100. Additionally, 0.24 acres will be impacted to improve the access road and construct the shoreline erosion control measure on Lots 97 and 98. It is unclear what types of improvements for the access road are planned. Will the road be widened? Or do the improvements consist only of replacement of existing impervious surface area? It is important to clarify the types of impacts in order to determine the amount of mitigation to require as a component of the variance as described below.
2. The construction of the homes and driveways on Lots 98-100 should be mitigated at a ratio of 3:1 for disturbance to the Buffer.
3. The area of impact to the Buffer for the construction of the shoreline erosion control measure should be mitigated at a ratio of 1:1.
4. The area of impact to the Buffer for the roadway access improvements should be mitigated at a ratio of 3:1.

TTY for the Deaf

Annapolis: (410) 974-2600 D.C. Metro: (202) 536-0450



Maryland Department of Planning

Martin O'Malley
Governor

Anthony G. Brown
Lt. Governor

March 27, 2008

Richard Eberhart Hall
Secretary

Matthew J. Power
Deputy Secretary

Ms. Betsy Vennell
Zoning Assistant
Town of North East
P.O. Box 528
NorthEast, Maryland 21901

Re: Variance Case #A-2008-10V, 11-V, 12-V and 13-V
North East Isles Lots 98,99,100

Dear Betsy:

Pursuant to the variance applications listed above, I offer the following for consideration as conditions for granted the variance for impacts to the Critical Area Buffer:

1. All construction for the homes, driveways and walkways shall conform to the building restriction lines noted on the approved site plan. Any decks should follow the current Critical Area guidance and the current Town's regulations regarding installation.
2. No work shall commence or construction authorization granted until all permits have been received including, grading permit, sediment and erosion control, and stormwater.
3. Additionally, no work shall commence until both the Maryland Department of Environment tidal and non-tidal wetland permits have been granted and copies provided to the Town.
4. All the condition set forth in the MDE non tidal wetlands permit shall be met prior to issuing an occupancy permit on lot 100 unless otherwise specified.
5. Recorded deed restrictions to protect the Critical Area Buffer and plantings as part of mitigation on lots 98, 99, and 100 shall be noted on the final site plan and submitted to the Town for verification that all restrictions have been satisfied.
6. A landscape and mitigation plan, landscape agreement and letter of credit shall be submitted and approved by the Town and the Critical Area Commission prior to commencement of grading or site work.
7. All conditions stated in Kate Schmidt's letter of March 19, 2008 shall be addressed prior to final plan approval.

Should you have any questions regarding this information, feel free to contact me.

Sincerely,

Mary Ann Skilling
Critical Area Circuit Rider

Betsy Vennell

From: "James Tilley" <JTilley@mde.state.md.us>
To: <mskilling@mdp.state.md.us>
Cc: <bvennell@northeastmd.org>
Sent: Wednesday, February 20, 2008 2:34 PM
Attach: 10-25-07 Declaration of restrictive covenants perm pres.doc
Subject: 07-NT-0160/200762272 Larsons Investments/North East Isles/BldgStructure/Revetment

Ms. Skilling and Ms. Vennell,

Thank you for your assistance regarding the referenced application. I have Cced both of you on my letter to Mr. Chuck Schneider dated February 20, 2008.

For your reference, I have attached is a copy of MDE's Nontidal Wetlands "Declaration of Restrictive Covenants" that we typically use for undisturbed nontidal wetlands for a project site. I sent you this document because I wanted you to know the language that is typically included for our required deed restrictions. I recommend that you include this language, or some variation of it, in your deed restriction for the referenced property so the applicant/landowner also satisfies requirements of the Nontidal Wetlands and Waterways Division.

We typically provide the applicant with the following instructions for the Declaration of Restrictive Covenants:

1. The property owner should provide a copy of the property plat with the authorized LOD clearly depicted on the plat.
2. The entire remaining undisturbed wetlands should be clearly marked as "Wetland Preservation" or other appropriate title.
3. The Declaration of Restrictive Covenants should be completed and included with plat.
4. The plat and Declaration of Restrictive Covenants must be recorded with the County or Town Court so that the preserved area transfers with the deed.
5. A copy of the final record plat must be provided to the Nontidal Wetlands and Waterways Division of the Maryland Department of the Environment.

Please let me know if you have any questions or concerns.

Thank you,

James Tilley
410.537.3788

The information contained in this communication may be confidential, is intended only for the use of the recipient named above, and may be legally privileged.

If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution, or copying of this communication, or any of its contents, is strictly prohibited.

If you have received this communication in error, please re-send this communication to the sender and delete the original message and any copy of it from your computer system. Thank you.

3/31/2008

DECLARATION OF RESTRICTIVE COVENANTS

THIS DECLARATION OF RESTRICTIVE COVENANTS (this "Declaration") is made this ____ day of ____, 200__, by ("Owner") having an address at

INTRODUCTORY STATEMENT

A. Owner is the fee simple owner of that certain real property located in the ____ Election District of ____ County, Maryland consisting of approximately acres more particularly described in a Deed dated ____, and recorded among the land records of ____ County, Maryland at Liber ____, Folio ____ ("Property").

B. Owner proposes to preserve a ____ nontidal wetland, approximately ____ acres in size at the location shown on Attachment A, ("Survey"), attached hereto and hereby made a part hereof ("Preserved wetland").

C. Owner desires to record this Declaration among the Land Records of ____ County to ensure that certain activities not be conducted within the Preserved wetland.

NOW THEREFORE, in consideration of the covenants, terms, conditions and restrictions hereinafter set forth, Owner declares as follows:

1. As of the date hereof, the Preserved wetland shall be deemed jurisdictional nontidal wetlands. Owner, his personal representatives, heirs, successors and assigns shall not undertake on its own, or grant permission to others, to conduct any of the following regulated activities within the Preserved wetland or a 25 foot buffer measured outward from the perimeter of the Preserved wetland, excluding activities previously authorized by the Maryland Department of the Environment or U.S. Army Corps of Engineers:

A. Removal, excavation, or dredging of soil, sand, gravel, minerals, organic matter, or materials of any kind;

B. Changing existing drainage characteristics, sedimentation patterns, flow patterns, or flood retention characteristics;

C. Disturbance of water level or water table by drainage, impoundment or other means;

D. Dumping, discharging of material or filling with material, including the driving of piles, and placing of obstructions;

E. Grading or removal of material that would alter existing topography;

F. Destruction or removal of plant life that would alter the character of the nontidal wetland, except for the removal of invasive species as determined by the Maryland Department of the Environment;

G. Agricultural activities shall not be conducted within the Preserved wetland or within a 25 foot wide buffer measured from the outside perimeter of the Preserved wetland. For purposes of this Declaration, the term "agricultural activities" means aquaculture and farming activities including plowing, tillage, cropping, seeding, cultivating, the grazing and raising of livestock, sod production and harvesting for production of food and fiber products. Forestry activities may not be conducted within the Preserved wetland. "Forestry activities" means planting, cultivating, thinning, harvesting or any other activity undertaken to use forest resources or to improve their quality or productivity.

2. Owner, his personal representatives, heirs, successors and assigns shall include reference to this Declaration and the restrictions contained herein in every deed, or other legal instrument by which any interest in the Property is conveyed. The provisions of this Declaration shall be deemed to be covenants running with and binding upon the Property in perpetuity.

IN WITNESS WHEREOF, Owner has hereunto set his hand and seal the day and year first above written.

_____(SEAL)
Owner

STATE OF MARYLAND, County of _____, TO WIT:

I HEREBY CERTIFY, that on this ____ day of _____, 200 ,
before me the subscriber, a Notary Public of the State aforesaid, personally appeared _____ known to me, or satisfactorily proven to be, the Owner under the foregoing Declaration and acknowledged that he executed the same for the purposes therein contained and in my presence signed and sealed the same.

WITNESS my hand and Notarial Seal.

Notary Public
My Commission Expires: _____



MARYLAND DEPARTMENT OF THE ENVIRONMENT

1800 Washington Boulevard • Baltimore MD 21230
410-537-3000 • 1-800-633-6101

Martin O'Malley
Governor

Anthony G. Brown
Lieutenant Governor

WATER MANAGEMENT ADMINISTRATION
NONTIDAL WETLANDS AND WATERWAYS DIVISION
Suite 430
Phone # 410-537-3745
Fax # 410-537-3751

Shari T. Wilson
Secretary

Robert M. Summers, Ph.D.
Deputy Secretary

RECEIVED

FEB 25 2008

North East Town Hall

February 20, 2008

Mr. Chuck Schneider
Frederick Ward Associates
P.O. Box 727
5 South Main Street
Bel Air, MD 21014-0727

Application Number: 07-NT-0160/200762272
Project: Larsons Investments/North East Isles/Bldg Structure & Revetment

Dear Mr. Schneider:

The Nontidal Wetlands and Waterways Division (the "Division") has completed its review of the referenced *Joint Federal/State Application for the Alteration of any Floodplain, Waterway, Tidal or Nontidal Wetland in Maryland*. The review was done in accordance with 26.23.04 (Nontidal Wetlands). We are pleased to inform you that your activity, as currently proposed, conditionally qualifies for a Letter of Authorization (LOA). **Please note this letter does not constitute an authorization to proceed with regulated activities.** The conditions of the authorization will be issued with the LOA.

Prior to issuing any authorizations, please submit the following materials.

- 1) Following the "Instructions for Wetland Compensation Fund Payments" that were enclosed in my letter to Mrs. Wilson dated December 18, 2007, please submit the "Nontidal Wetland Compensation Fund Waiver" form and a bank certified check. Confirmation of sufficient payment to the Nontidal Wetlands Compensation Fund will be required. The amount of mitigation required for proposed permanent impacts to 1,283 square feet of forested nontidal wetlands is 2,566 (2:1) square feet of forested nontidal wetlands. The amount of money owed, based on \$53,250 per acre of mitigation required in Cecil County, is \$3,137.

Mr. Chuck Schneider

2/20/2008

Page 2

- 2) Please provide approved stormwater management plans or, if plans are not required by Cecil County, provide documentation indicating stormwater management requirements will be satisfied.
- 3) The Tidal Division of the Wetlands and Waterways Program is also reviewing the proposed project. Any comments from the Tidal Division will be sent under separate cover.
- 4) Please note that it is the understanding of the Division that the Town of North East will require the applicant to provide a deed restriction that would preserve the undisturbed area of Lot 100, west of the delineated nontidal wetland, in perpetuity on the record plat. The Division will require copies of these deed restriction documents as a special condition of the LOA. The applicant will be required to provide the Division this documentation within 180 days from the effective date of the LOA.

Please provide two copies of the requested information and reference the application tracking number on all correspondence pertaining to this project. As soon as this information is provided, and it is determined to be sufficient, a Letter of Authorization will be promptly issued that authorizes the activity provided that the conditions noted on the plans and additional conditions and best management practices, which are part of the Letter of Authorization, are met.

If we do not hear from you within 120 days of the date of this letter, it will be assumed that you are no longer pursuing authorization of your project. Processing your application will be suspended, and the application will be returned to you and considered to be withdrawn. If you then wish to pursue authorization for your project, it will be necessary to submit a new joint State/Federal application to the Regulatory Services Coordination Office. The application will receive a new tracking number, and will be evaluated based on the regulations and policies in effect on the new receipt date.

If you have any questions regarding the above comments, please contact me at (410) 537-3788 or by e-mail at jtilley@mde.state.md.us.

Sincerely,



James Tilley

Natural Resources Planner

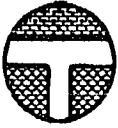
Nontidal Wetlands and Waterways Division

Cc: Larson's Investments, LTD

Ms. Mary Ann Skilling (Maryland Department of Planning)

Ms. Betsy Vennell (Town of North East)

Mr. Reggie Graves (MDE)



TRANSVIRON, INC.
CONSULTING ENGINEERS

1624 York Road · Lutherville, MD 21093 · 410-321-6961 · Fax: 410-494-9321

April 17, 2007

North East Planning Commission
Town Hall
P.O. Box 528
North East, Maryland 21901

Attn: Betsy Vennell

RE: Lots 98, 99, 100
North East Isles

VIA FACSIMILE
Original Retained

Dear Commissioners;

In response to your transmittal dated 3/14/07, we have reviewed the preliminary submittals of the proposed driveway and water extensions plans, and have the following comments:

DRIVEWAY PLAN

1. Town signature blocks and engineer's seal and signature to be added.
2. The plan does not indicate where the various proposed keystone walls will be located, and their limits. They appear to be within the railroad easement and will require railroad approval.

WATER EXTENSION

1. **Sheet W01** – Town signature blocks and Engineer's stamp and signature to be added.
2. **Sheet W02** – Plan and Profile, delete "& Roadway Box" and insert in lieu thereof "(Standard Water Detail W-21)".

In the Profile, Station 0+00, the reference to 2" water shall be deleted.

3. **Sheet W03** – A detail of the reduction from 6"W to 2"W to be added.

The following notation to be added:

North East Planning Commission
Lots 98, 99, 100 - North East Isles
April 2, 2007
Page 2 of 2

"2" and 3/4" Service Lines shall be Type K Copper with Grip Joint Red Brass Couplings".

Water meters shall be relocated out of the paving.

The fire hydrant casement shall be notated.

4. **Sheet W04** - Standard Road Detail R-1 shall be deleted, since it is not applicable.

Standard Water Detail W-7 shall be added.

At the foot of the Town Standard Specifications, the date shall be added.

6" Water main shall be D.I.P., Class 51. Note 11 shall be added back into the Town Standard Specifications.

ENVIRONMENTAL ASSESSMENT

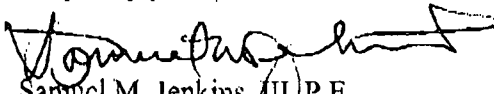
We also received a copy of the Environmental Assessment submitted directly to us on 2/19/07. Although the environmental assessment is beyond our purview, we did notice slope protection along the stream bank. However, there were no cross-sections or details included.

At this point in the review process, we recommend that the Town convene a meeting with all recommended agencies present that are involved in critical area review, in order to determine the extent of the Town's and our review to avoid overlap. Once determined, we will continue our review.

As of this writing, we have not received updated comments from Severn Trent.

Please contact us if you have any questions.

Very truly yours,


Samuel M. Jenkins, III, P.E.
Vice-President

File: 8605.55-M

ENVIRONMENTAL ASSESSMENT

FOR THE

**NORTH EAST ISLES SUBDIVISION
LOTS 98, 99 AND 100**

TOWN OF NORTH EAST, MARYLAND

CECIL COUNTY, MARYLAND

MARCH 2007

Prepared by:

**Frederick Ward Associates, Inc.
5 South Main Street, P.O. Box 727
Bel Air, Maryland 21014
(410) 879-2090**

PROJECT NO. 2061068.00

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1.0 INTRODUCTION

1.1 Critical Area Program Summary

The North East Chesapeake Bay Critical Area Program was adopted by the North East Board of Commissioners on 04 May 1988. Under Section 2, "Program for Development in the Critical Area," the town has established criteria for each significant development proposal within the Critical Area. All project approvals will be based on the findings that projects are consistent with the following criteria.

- Minimize adverse impacts on water quality that result from pollutants that are discharged from structures or conveyances or that have runoff from surrounding lands;
- Conserve fish, wildlife and plant habitat; and
- Accommodate growth while addressing the fact that, even if pollution is controlled, the number, movement, and activities of persons in the Critical Area can create adverse environmental impacts.

1.2 Purpose of Report

The purpose of this report is to provide the necessary information requested under Sections 2 and 9 of the North East Critical Area Program for development within the Chesapeake Bay Critical Area (CBCA). This report is accompanied by a "Critical Area Plan" & "Tree Survey / Tree Removal / Tree Replacement Plan" prepared by Frederick Ward Associates, dated March 2007. These plans include a location of the existing natural features located on site including soils, forests, vegetation and Habitat Protection Areas as well as the proposed development and mitigation. This report provides a written description of the site's natural features, Habitat Protection Areas, the proposed development, and its compliance to the applicable regulations as mentioned above. Unless otherwise noted, information in this document was obtained from the North East Critical Area Program, the Environmental Features Plan prepared by Frederick Ward Associates and on-site investigations.

2.0 EXISTING ENVIRONMENTAL FEATURES

2.1 Location

The subject properties are located in the Fifth Election District of Cecil County, Maryland and are identified on Tax Map Number 31 as parcel 1243, Lots 98, 99 and 100 recorded under Liber 1944 and Folio 580 and Liber 2059 and Folio 320. According to tax map records, the total tract area is 2.35 acres, of which all is located within the Chesapeake Bay Critical Area and designated as Limited Development Area (LDA). The 2.35 ac. number includes waters of the state and the real land area of the project area is 2.00 acres. The project area is currently zoned Planned Residential Development (PRD) according to the North East Zoning Maps. The subject area is bordered to the north by land owned by North East Isles Condominium Association, east by the North East River, south by lands owned by Cecil County Metropolitan Commission, and to the west by the AMTRAK rail lines. The subject parcel is currently accessed by a dirt road off of North East Isles Drive in the North East Isles subdivision.

This project area is comprised of three (3) lots that are considered grandfathered because they were created before Critical Area regulations. These three lots are part of the remaining section of the North East Isles Subdivision and never went through the CBCA program process.

2.2 Land Use

As previously stated, the existing land use designation of the subject property within the Critical Area is LDA. The following description of Limited Development Areas is from the North East Critical Area Program:

"...are areas that contain low to moderate levels of development and intact natural areas."

The LDA is an overlay district to the underlying zoning, Planned Residential Development (PRD). This zoning classification is described as follows:

"The provisions of this article are enacted in order that the purposes of the ordinance be furthered in an era of increasing urbanization and of growing demand for housing of all types and design; to ensure that the provisions of this ordinance which are concerned in part with the uniform treatment of dwelling type, bulk, density and open space within each zoning district, shall not be applied to the improvement of land by other than lot by lot development in a manner that would distort the objectives of this ordinance; to encourage innovations in residential development and renewal so that the growing demand for housing may be met by greater variety in type, design and layout of dwellings and by the conversation and more efficient use of open space ancillary to said dwellings; so that greater opportunities for better housing and recreation may extend to all citizens and residents of this Town; and in order to encourage a more efficient use of land and of public services and to reflect changes in the technology of land development so that economies secured may ensure to the benefit of those who

need homes; and, in aid of these purposes, to provide a procedure which can relate the type, design and layout of residential development to the particular site and the particular demand for housing existing at the time of development in a manner consistent with the preservation of the property values within existing residential areas, and to ensure that the increased flexibility of regulations over land development authorized herein is carried out under such administrative standards and procedures as shall encourage the disposition of proposals for land development without undue delay."

The entire area is located within the Critical Area and the current land use is forested vacant land. There is only a dirt access road from the North East Isle subdivision on site; no other structural improvements are present.

2.3 Soils / Topography

According to the "Soil Survey of Cecil County, Maryland" (USDA-SCS/1973), the site's underlying soil series is Sassafras gravelly loam (SgB2). This soil has a surface and a subsoil that contains less sand, more silt, and in a few places more clay than that in the profile described as a representative of the series. This soil also has higher available moisture capacity and greater ability to hold plant nutrients. The percentage of gravel commonly is even greater in the subsoil, and especially in the substratum. Sassafras is not identified as hydric or hydric inclusional soil type according to the National Technical Committee on Hydric Soils (NTCHS). The soil type has a K Factor of 0.28, which identifies the soil as being not erodible. On-site soil borings will help in determining the stability of the soil in the field.

Topography within the Critical Area ranges from sea level (0) to 26 feet above sea level. There are areas of the property greater than 15%, which are mainly found along the upper slopes above the floodplain. These slopes are found on all three proposed lot areas. The property drains generally in an easterly direction to the adjacent North East River. According to the FEMA/FIRM Panel No. 240019 0028A, elevation 12 is where the 100 year floodplain of the Northeast River is located on the subject property.

2.4 Forest - Vegetation

The subject area contains scattered trees throughout the forested area and open areas along with sandy beach habitat areas throughout the site. The trees located onsite were Silver Maple, Black Cherry, Green Ash, Sycamore, Black Willow, Red Maple and Box Elder. The trees located adjacent to the North East River represent a riparian stand, a continuous wildlife corridor system, and effective water quality buffering benefits. This area also does not qualify as a Forest Interior Dwelling Bird habitat. An open area located in the center of the site was cleared recently and has various grasses growing in this area. The dirt access road goes from the adjacent subdivision to this open area. Edge plants such as Multiflora Rose, Blackberry, and Raspberry are located along the open area. There are two non-tidal wetland areas located on site adjacent to waters of the United States and emergent tidal wetlands with similar vegetation such as Red Maple, Green Ash, Box Elder, Sweet Flag, Sensitive Fern, Poison Ivy, Tiger Lily and Tussock Sedge. The beach area had various species of sedges, rushes, and grasses located in or above the water line.

2.5 Wetlands

A review of the National Wetland Inventory (NWI) maps completed by the U.S. Fish and Wildlife Service was conducted for this project. The NWI map for the subject property contains areas of Waters of the United States being located within the study area. As shown on the Critical Area Plan and Tree Survey Plan, nontidal wetlands and waters of the United States associated with the North East River and adjacent floodplain have been located. No wetlands or identified areas are shown within the project area on the NWI maps only a water line for the North East River.

An on-site investigation revealed the NWI maps to be only partially correct in their delineation of nontidal wetlands. Additional nontidal wetland areas are located adjacent to the North East River and floodplain areas. The nontidal wetlands identified on the accompanying Critical Area Plan and Tree Survey Plan have been field delineated and located with GPS (global positioning system) survey by FWA. A copy of the relevant NWI map has been included as Appendix 5.3.

2.6 Rare, Threatened or Endangered Species

The United States Department of the Interior Fish and Wildlife Service (USF&WS) responded by letter dated August 22, 2006 to a Frederick Ward Associates request for information on the subject property. Their response, copy enclosed, listed no plant or animal species within the project area.

A request to the Maryland Department of Natural Resources Fish, Heritage and Wildlife Administration revealed in an August 29, 2006 letter that this agency has no records of rare, threatened or endangered species within the project area. They do have records of a Watchlist species the Maryland Bur-marigold being located in the vicinity of the project. No recommendations for site surveys were made according to this correspondence (copy enclosed).

2.7 Anadromous Fish Propagation Waters

The North East River is considered to be Anadromous Fish Propagation Waters due to the documented spawning of anadromous fish species such as White Perch, Striped Bass, etc. The temporal restriction for in-water construction activities required by the Critical Area Management Program is March 1 to June 15 of each year.

2.8 Other Significant Habitats

The following is a summary of the environmental features/designations associated with the Critical Area portion of the subject property.

| <u>Feature / Designation</u> | <u>Identified</u> | <u>Not Identified</u> |
|--|-------------------|-----------------------|
| Critical Area | X | |
| Buffer | X | |
| Tidal Wetlands | X | |
| Nontidal Wetlands | X | |
| Hydric Soils | | X |
| Highly Erodible Soils | | X |
| Slopes over 15% | X | |
| 100 Year Floodplain | X | |
| Riparian Forest | X | |
| Interior Dwelling Bird Habitat | | X |
| Colonial Water Bird Nesting Site | | X |
| Historic Waterfowl Staging Area | | X |
| Rare, Threatened or Endangered Species | | X |
| Natural Heritage Area | | X |
| Anadromous Fish Propagation Water | X | |
| Submerged Aquatic Vegetation | X | |
| Areas of Shoreline Erosion | | X |

3.0 PROPOSED DEVELOPMENT

3.1 Proposed Subdivision

The proposed development for the Critical Area of the subject property is the construction of a three (3) single family dwellings with driveways and an access road. This new development will create 12,143 s.f. of new impervious area within the Critical Area, 3,287 of which is offsite.

Development Table

| | | | |
|--|---|---------------|----------------|
| Subject Property Area: | 2.35± acres (Tax Map Area / water included) | | |
| Total Actual Land Area: | 2.00± ac | | |
| Lot 98: | 0.77± ac. | | |
| Lot 99: | 0.40± ac. | | |
| Lot 100: | 0.83± ac. | | |
| Critical Area: | 2.00± acres | | |
| Total Forested Area: | 1.29± ac | | |
| Lot 98: | 0.50± ac. | | |
| Lot 99: | 0.20± ac. | | |
| Lot 100: | 0.59± ac. | | |
| Existing Impervious Surface: | 0.00 s.f. (0%) | | |
| Proposed Impervious Surface: | 12,143 s.f. (Total 10%) (3,287 offsite for road) | | |
| | <u>Lot 98</u> | <u>Lot 99</u> | <u>Lot 100</u> |
| Building: | 1,457 s.f. | 1,743 s.f. | 1,517 s.f. |
| Road/Driveway Area: | 2,573 s.f. | 602 s.f. | 964 s.f. |
| Total: | 4,030 s.f. | 2,345 s.f. | 2,481 s.f. |
| Lot Impervious | 12% | 13% | 7% |
| Total Tree Removal for Houses: | 26 trees | | |
| Lot 98: | 12 trees | | |
| Lot 99: | 3 trees | | |
| Lot 100: | 11 trees | | |
| Clearing for Shoreline Stabilization: | 0.11 ac. (4,980 s.f) (3,590 onsite / 1,390 offsite) | | |
| Area of Expanded Buffer: | 2.00 ac. | | |
| Area of Expanded Buffer Impact: | 0.65 ac. (28,415 s.f) | | |
| Area of Offsite Buffer Impact: | 0.24 ac. (10,225 s.f) (access road/shore stab.) | | |
| Proposed Nontidal Wetland Disturbance: | 0.11 ac. (4,745 s.f) (.06 onsite / .05 offsite) | | |
| Proposed 25 foot Wetland Buffer Dist.: | 0.11 ac. (4,905 s.f) (.07 onsite / .04 offsite) | | |
| Proposed Waters of the U.S. Disturbance: | 0.05 ac. (2,000 s.f) (Permitted) | | |

4.0 IMPACT ASSESSMENT

The following is a summary of the Critical Area Program requirements of development within a Limited Development Area (LDA). These requirements include, Habitat Protection Areas and other standard limitations. Step 2 in the Critical Area Buffer Management Plan application states "Different types of Buffer management activities require different mitigation ratios. Higher ratios are used for activities that have a greater impact upon the buffer. The purpose of the mitigation is to improve the Buffer functions where possible." The mitigation ratio for new development (clearing for house) is 3:1, the ratio for shoreline access (walkway) is 2:1, and the ratio for shoreline erosion control (stabilization riprap) is 1:1.

4.1 Habitat Protection Areas

The North East Critical Area Program identifies six types of Habitat Protection Areas (HPA's). The North East Isles Lots 98, 99 and 100 development contains five of the six HPA's. The following is a review of the various requirements for protection of the HPA's and how these requirements have been incorporated into the design of the development.

1. Buffer Program Element

The Town of North East Chesapeake Bay Critical Area Program has established Habitat Protection Areas (HPA) within the Critical Area, including a 110-foot Critical Area buffer landward from tidal waters, tidal wetlands, and tributary streams. According to the Development Regulations, HPA "is a contiguous area located immediately landward of tidal waters, tributary streams in the critical area, and tidal wetlands and has a minimum width of one hundred and ten (110) feet. The Buffer shall be expanded beyond the minimum depth to include certain sensitive areas". The Critical Area buffer is expanded beyond 110 feet to include the following contiguous sensitive areas: hydric soil, highly erodible soils, wetlands and steep slopes (15% or greater). This property does have areas that meet this definition on site. Specifically, the basic 110-foot buffer has been expanded to include contiguous areas of steep slopes. The expanded buffer encompasses the entire site and is located on the adjacent railroad property. A variance is going to be required for this project, because all the proposed disturbance areas are within the expanded 110 foot Critical Area buffer. All work that will be completed in this area needs to be approved by the Town of North East Commissioners. This buffer is currently in a forested condition; therefore, no additional plantings will be required to satisfy this component of the Critical Area requirements. The Buffer is considered a Habitat Protection Area (HPA) within the Critical Area and no development is permitted with the exception of water dependent facilities.

2. Threatened and Endangered Species Protection Program Element

FWA contacted the Maryland Department of Natural Resources Forest, Wildlife and Heritage Service (MD DNR) and the United States Fish and Wildlife Service (USFWS) to request any information on file concerning the existence of known Federal or State rare, threatened or endangered (RTE) plant or wildlife species on or near this project site. The USFWS responded by correspondence dated August 22, 2006, stating they have "no records for Federal or State rare, threatened or endangered plants or animals within the vicinity of the referenced project area." A copy of this correspondence has been included within this report. The MD DNR August 2006 correspondence states that they have no record of any State or Federal rare, threatened or endangered plant or wildlife species within the boundary of the project as delineated. No survey for any RTE species is required at this time for the subject property.

3. Nontidal Wetlands Protection Program Element

National Wetland Inventory (NWI) Maps were reviewed for nontidal wetlands on the subject property. A site inspection did reveal the presence of nontidal wetlands and/or jurisdictional waters of the U.S. on the subject property. These areas have been located by GPS survey and are shown on the accompanying Environmental Features Plan. The required 25-foot MDE protective buffer around all nontidal wetlands is shown to protect these wetland areas. This project is impacting the 25-foot buffer in two (2) areas of the existing access lane and for shoreline stabilization. The impacts (4,905 s.f.) are for the new access lane for the three new lots and for shoreline stabilization. This project will also disturb 0.11 acres of nontidal wetlands to complete the development. The impacts to the nontidal wetlands (2,635 s.f. onsite / 2,110 s.f. offsite) are for shoreline stabilization.

A permit has been granted by MDE/COE to construct 350 linear feet of riprap revetment along the projects shoreline. After further review only the riprap area projected along the proposed road area will be constructed. This length will be 250 linear feet and will connect to the existing riprap area onsite.

At this time, there are no other wetland/waters/buffer impacts anticipated for this project. No additional disturbances are permitted within the wetlands, waters or their protective buffers without prior authorization from the COE, MDE, Critical Area Commission and the Town of North East Office of Planning and Zoning.

4. Plant and Wildlife Habitat Protection Program Element

This property contains 1.29 acres of forest with varying aged tree species. The overall size of the site, forest and adjacent land uses do not make this site a viable habitat for forest interior dwelling birds. Although, forest found on the site along the North East River does make up a riparian system that connects with the adjacent properties in the north and south. This area to the north still maintains a wooded riparian and the proposed project will also maintain this forested buffer.

According to various agencies and previous work FWA has completed in the North East Isles area, there is knowledge of potential rare plants along the shoreline of the site. There has not been a Rare, Threatened or Endangered (RTE) species survey completed on the subject property. A permit has been granted by MDE/COE to construct riprap revetment along the projects shoreline. In an August 2006 a letter from the Maryland Department of Natural Resources Wildlife and Heritage Service stated that no records of any State or Federal RTE species was found within the boundaries of the project site.

5. Anadromous Fish Propagation Waters Protection Program Element

The North East River is an Anadromous Fish Propagation Waters that is located along the eastern boundary of this project area. This area is documented for spawning of anadromous fish species such as White Perch, Striped Bass, etc. The temporal restrictions for in-water construction activities required by the Critical Area Management Program are March 1 to June 15 of each year.

As previously mentioned, this site has a permit to construct riprap revetment along the shoreline. An engineering investigation has shown that this work will be needed to stabilize the shoreline and the bank near the new access road. This work will be completed during the time restrictions as shown above.

6. Water Quality Protection

The Town of North East and MDE Storm Water Management Regulations require that storm water runoff generated from all newly created impervious surfaces within the Critical Area be treated for water quality in order to maintain and, where possible, improve the quality of runoff entering the Chesapeake Bay. Any proposed development on this site will incorporate low impact development and will use roof top disconnect, grass swales and forest filtering of all newly created runoff.

5.0 CONCLUSIONS AND RECOMMENDATIONS

5.1 Conclusions

It is the opinion of this report that impacts and effects from the proposed three single family lot subdivision upon the associated environmental surroundings will be minor if all development follows the approved plans and in turn will be in conformance with the Town of North East Chesapeake Bay Critical Area Program. This opinion is contingent upon the appropriate plat provisions, restrictions and buffers being placed on the final record plans, and, inspection, compliance and enforcement of these provisions as appropriate.

5.2 Recommendations

This report and accompanying Critical Area Impact Plan makes the following project recommendations to ensure compliance with the provisions of the Critical Area Program and to reduce the potential for impact from any new development on site on forest and water quality. These recommendations include:

- A variance is going to be required for this project to disturb area within the expanded 110 foot Critical Area buffer. All work that will be completed in this area needs to be approved by the Town of North East Commissioners.
- Tree replacement for this project will be on a 3:1 equal area basis for all house clearing. This ratio is being used because the site is located within the LDA expanded buffer. Clearing for the houses will be a total of 26 trees. All tree replacement will be completed within the Critical Area onsite. The appropriate covenants and restrictions will need to be placed on all existing forested areas within the Critical Area. Tree clearing for shoreline stabilization will be replaced on a 1:1 ratio. Clearing for the stabilization will be 0.11 acres.
- All proposed decking should be off the ground as to not create any additional impervious areas. Under all decks should be at least 6 inches of gravel to prevent erosion.
- Storm water management quality control measures will be designed to control the first flush (half inch) of runoff over all newly created impervious surfaces over the entire development to comply with the provisions of the of the State 401C Water Quality Permit conditions.

APPENDICES
6.0

Appendix 6.1
Selected References

APPENDIX 6.1

Selected References

"North East Chesapeake Bay Critical Area Program." North East Board of Commissioners/Redman/Johnston & Associates, May 4, 1988.

"Soil Survey of Cecil County, Maryland." U.S. Dept. of Agriculture Soil Conservation Service in Cooperation with the Maryland Agricultural Experiment Station, Dec. 1973.

"Guide to the Conservation of Forest Interior Dwelling Birds in the Critical Area." Chesapeake Bay Critical Area Commission, July, 2000.

Appendix 6.2
Location Maps

Appendix 6.3
Correspondence

Robert L. Ehrlich, Jr.
Governor

Michael S. Steele
Lt. Governor



Martin G. Madden
Chairman

Ren Serey
Executive Director

**STATE OF MARYLAND
CRITICAL AREA COMMISSION
CHESAPEAKE AND ATLANTIC COASTAL BAYS**

1804 West Street, Suite 100, Annapolis, Maryland 21401

(410) 260-3460 Fax: (410) 974-5338

www.dnr.state.md.us/criticalarea/

October 17, 2006

Ms. Betsy Vennell
Zoning Administrator
Town of North East
P.O. Box 528
North East, Maryland 21901

RE: North East Isles Lots 98, 99, & 100

Dear Ms. Vennell:

Thank you for providing information regarding the proposed site plan for Lots 98, 99, and 100 in the North East Isles subdivision. The applicant is proposing to develop each lot with a single-family dwelling. The parcels which are adjacent to each other range in size from approximately 0.5 acre to 1.0 acre. They are designated as Limited Development Area (LDA) and entirely within the expanded 100' Buffer for steep slopes. Mary Ann Skilling and I have jointly reviewed this project. Based on the information provided, we offer the following comments:

1. It appears that the forest clearing on Lot 100 could be minimized. However, if the applicant demonstrates clearing and grading is necessary for the stability of the proposed dwelling, then a portion of the required mitigation plantings may occur in this area.
2. The total mitigation provided under the proposed lot data chart is incorrect. Given that all three lots are entirely within the 100-foot Buffer, mitigation must occur at a 3:1 ratio for the entire area disturbed. The site data states that the area of impact within the expanded Buffer is 0.66 acres; therefore the total mitigation required will be 1.98 acres. I recommend at least a portion of this mitigation occur on site, as mentioned above.
3. I recommend the applicant consider a community pier and single access point for the three lots in order to reduce the mitigation requirement. While access to piers through the Buffer is permitted, any proposed clearing or removal of trees will have to be mitigated at a 2:1 ratio. If the developer does not provide a single community pier, the location of the piers and access to each pier must be shown on the plan and mitigation for Buffer disturbance provided at the 2:1 ratio for all disturbances.
4. It is our understanding that the applicant has applied for an MDE permit for a revetment along the shoreline but no longer plans to construct the revetment.

5. How will the roadway be stabilized? Previously the MDE permit application showed grading in the Buffer down to the revetment to stabilize the road. If grading is required for the road, the limit of disturbance will need to be expanded and included in the mitigation ratio.
6. Stormwater and sediment and erosion control permits must be obtained prior to final site plan approval.

Thank you for the opportunity to provide comments. If you have any questions, please contact me at 410-260-3475.

Sincerely,



Kate Schmidt

Natural Resource Planner

NB424-06

cc: Mary Ann Skilling, Critical Area Circuit Rider



- Robert L. Ehrlich, Jr., Governor

Michael S. Steele, Lt. Governor

C. Ronald Franks, Secretary

August 29, 2006

Mr. Brad Tully
Frederick Ward Associates
P.O. Box 727
5 South Main Street
Bel Air, MD 21014-0727

RE: Environmental Review for North East Isles Property, Lots 98-100, FWA Project No. 2061068.00, Cecil County, Maryland.

Dear Mr. Tully:

The Wildlife and Heritage Service has determined that there are no State or Federal records for rare, threatened or endangered species within the boundaries of the project site as delineated. As a result, we have no specific comments or requirements pertaining to protection measures at this time. Please note however that the utilization of state funds, the need to obtain a state-authorized permit, or changes to the plan might warrant additional evaluations that could lead to protection or survey recommendations by the Wildlife and Heritage Service. Please contact us again for further coordination if this project falls into one of those categories.

We would also like to point out that our initial evaluation of this project should not be interpreted as meaning that it is not possible for rare, threatened or endangered species to be present. Certain species could be present without documentation because adequate surveys may not have been conducted in the past. Although we are not requiring any surveys, we would like to bring to your attention that Wildlife and Heritage Service's Natural Heritage database records do indicate that there are records for the Watchlist species Maryland Bur-marigold (*Bidens bidentoides* var. *mariana*) known to occur within the vicinity of the project site

If the appropriate habitat is present for these species they could potentially occur on the project site itself. Since populations of these native plants have declined historically we would encourage efforts to help conserve them across the state. Feel free to contact us if you would like technical assistance regarding the conservation of these important species.

Thank you for allowing us the opportunity to review this project. If you should have any further questions regarding this information, please contact me at (410) 260-8573.

Sincerely,

Lori A. Byrne,
Environmental Review Coordinator
Wildlife and Heritage Service
MD Dept. of Natural Resources

ER #2006.1511.ce

Tawes State Office Building • 580 Taylor Avenue • Annapolis, Maryland 21401

410.260.8DNR or toll free in Maryland 877.620.8DNR • www.dnr.maryland.gov • TTY users call via Maryland Relay



United States Department of the Interior

FISH AND WILDLIFE SERVICE
Chesapeake Bay Field Office
177 Admiral Cochrane Drive
Annapolis, MD 21401



August 22, 2006

Brad Tully
Frederick Ward Associates
PO Box 727, 5 South Main Street
Bel Air, MD 21014-0727

RE: North East Isles Property, Lots 98-100, FWA Project No. 2061068.00, Cecil County, MD

Dear Mr. Tully,

This responds to your letter, received, June 23 2006, requesting information on the presence of species which are federally listed or proposed for listing as endangered or threatened within the vicinity of the above reference project area. We have reviewed the information you enclosed and are providing comments in accordance with section 7 of the Endangered Species Act (87 Stat. 884, as amended; 16 U.S.C. 1531 *et seq.*).

Except for occasional transient individuals, no federally proposed or listed endangered or threatened species are known to exist within the project impact area. Therefore, no Biological Assessment or further section 7 Consultation with the U.S. Fish and Wildlife Service is required. Should project plans change, or if additional information on the distribution of listed or proposed species becomes available, this determination may be reconsidered.

This response relates only to federally protected threatened or endangered species under our jurisdiction. For information on the presence of other rare species, you should contact Lori Byrne of the Maryland Wildlife and Heritage Division at (410) 260-8573.

An additional concern of the Service is wetlands protection. Federal and state partners of the Chesapeake Bay Program have adopted an interim goal of no overall net loss of the Basin's remaining wetlands, and the long term goal of increasing the quality and quantity of the Basin's wetlands resource base. Because of this policy and the functions and values wetlands perform, the Service recommends avoiding wetland impacts. All wetlands within the project area should be identified, and if construction in wetlands is proposed, the U.S. Army Corps of Engineers, Baltimore District, should be contacted for permit requirements. They can be reached at (410) 962-3670.

We appreciate the opportunity to provide information relative to fish and wildlife issues, and thank you for your interests in these resources. If you have any questions or need further assistance, please contact Devin Ray at (410) 573-4531.

Sincerely,

Mary Ratnaswamy

Mary J. Ratnaswamy, Ph.D.

Program Supervisor, Threatened and Endangered Species



FREDERICK WARD ASSOCIATES

P.O. Box 727, 5 South Main Street
Bel Air, Maryland 21014-0727
410-879-2090
410-893-1243 fax

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June 20, 2006

Department of Natural Resources
Wildlife and Heritage Division
E-1, Tawes State Office Building
580 Taylor Avenue
Annapolis, Maryland 21401
Attn: Ms. Lori Byrne

Re: North East Isles Property
Lots 98-100
Cecil County, MD.
FWA Project No. 2061068.00

Dear Ms. Byrne:

I would like to request any information you may have concerning any known Federal or State threatened or endangered plant or wildlife species present at the proposed project located along the Northeast River west of North East Isles Drive in the North East area of Cecil County, Maryland. I have enclosed a location plan and NWI map of the site.

Please contact this office if you have any questions concerning this request.

Sincerely,

FREDERICK WARD ASSOCIATES

Brad Tully
Environmental Scientist



FREDERICK WARD ASSOCIATES

J. Box 727, 5 South Main Street
Bel Air, Maryland 21014-0727
410-679-2090
410-693-1243 fax

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June 20, 2006

United States Fish and
Wildlife Service
177 Admiral Cochrane Road
Annapolis, Maryland 21401
Attn: Ms. Maricela Constantino

Re: North East Isles Property
Lots 98-100
Cecil County, MD.
FWA Project No. 2061068.00

Dear Ms. Constantino:

I would like to request any information you may have concerning any known Federal threatened or endangered plant or wildlife species present at the proposed project located along the Northeast River west of North East Isles Drive in the North East area of Cecil County, Maryland. I have enclosed a location plan and NWI map of the site.

Please contact this office if you have any questions concerning this request.

Sincerely,

FREDERICK WARD ASSOCIATES

Brad Tully
Environmental Scientist

*Maryland Department of Planning*

July 11, 2006

Robert L. Ehrlich, Jr.
Governor*Michael S. Steele*
Lt. Governor*Audrey G. Scott*
Secretary*Florence E. Burian*
Deputy Secretary

Ms. Betsy Vennell
Zoning Administrator
Town of North East
106 Main Street
P.O. Box 528
North East, MD 21901

Re: Lots, 98, 99, 100

Dear Betsy:

I've reviewed the plans for the extension of water and sewer to the above mentioned properties. The plans as presented do not contain sufficient details to adequately review the project. In order to provide a thorough review of this project for Critical Area compliance, the following will be necessary:

1. The Critical Area designation and all Buffers (including expanded Buffers for steep slopes greater than fifteen percent, hydric soils or highly erodible soils) must be identified on the plan. As stated in Section 6-10 (a) "The Buffer shall be expanded four feet for every percent of slope over fifteen percent or to the top of slope, whichever is greater, but in no case more than ten feet beyond the top of the slope greater than fifteen percent."
2. Parcels 98, 99, and 100 are designated Limited Development Area (LDA) and are subject to impervious surface limitations. The total impervious area of the road surface must be calculated and included on the plan.
3. An environmental assessment of the impacts to the Buffer and any other Habitat Protection Area as designated in the Town's Critical Area Program must be provided. In 1990 the Department of Natural Resources, Wetlands and Waterways Program identified a concern for the filling of the tidal wetlands and its impact on a State listed threatened species, the Maryland Bur-marigold (*Bidens Bidentoides*), as part of the construction of an access road to lots 98, 99 and 100. The plant species is known to exist in the tidal wetland areas at the base of steep slopes which line the waterfront portions of the site. The existence of this or any other threatened or endangered species must be addressed.
4. The area for the proposed retaining wall, including, height, required fill, construction material must be provided. The retaining wall and fill in tidal

-2-

wetlands will require a permit from the Maryland Department of Environmental prior to any construction on this site. Also, in discussion with MDE, a delineation of tidal and non-tidal wetlands must be done and included in the environmental assessment with a description of any impacts and mitigation for impacts.

5. The plans are not clear on the road width although the plan indicates the "area of proposed retaining wall for road widening". The road location, area of expansion, limits of disturbance, and dimensions with cross section must be included.

Once these items are addressed, I will be happy to review the project for Critical Area Compliance. Should you have any questions, feel free to contact me.

Sincerely,


Mary Ann Skilling
Critical Area Planner

Copy: Kate Schmidt, CAC

Robert L. Ehrlich, Jr.
Governor

Michael S. Steele
Lt. Governor



Martin G. Madden
Chairman

Ren Serey
Executive Director

STATE OF MARYLAND
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July 18, 2006

Ms. Mary Ann Skilling
Maryland Department of Planning
210 Inverness Drive
Church Hill, Maryland 21623

RE: North East Isles Lots 98, 99, & 100

Dear Ms. Skilling:

Thank you for providing information regarding the proposed site plan for Lots 98, 99, and 100 in the North East Isles subdivision. The applicant is proposing to develop each lot with a single-family dwelling. The parcels which are adjacent to each other range in size from approximately 0.5 acre to 1.0 acre. They are designated as Limited Development Area (LDA) and entirely within the expanded 100' Buffer for steep slopes. Based on the information provided, I have the following comments:

1. The submitted plat shows that fast land is included in the lot boundaries and lot size. Performance standards for development within the Critical Area are based upon acreage landward of the edge of Mean High Water (MHW) of tidal waters or wetlands. Land below mean high water is considered to be under State ownership and includes areas of open water. The plat must be revised to exclude these areas from the lots.
2. If tidal wetlands are located on site, the applicant must provide a field delineation to distinguish between State and private tidal wetlands. State tidal wetlands also cannot be included within the boundaries of any privately owned lot or parcel. If a field delineation is necessary, the applicant should work with this office to ensure the delineation methodology is acceptable.
3. Prior to site plan approval, the applicant must obtain a variance for impacts to the Buffer and impacts to steep slopes.
4. As stated above, impervious surface calculations must be based upon acreage of land above mean high water for each parcel.

Thank you for the opportunity to provide comments. If you have any questions, please contact me at 410-260-3475.

Sincerely,

A handwritten signature in cursive script that reads "Kate Schmidt".

Kate Schmidt
Natural Resource Planner
NE424-06

Cc: Ms. Betsy Vernell, Zoning Administrator

TTY for the Deaf
Annapolis: (410) 974-2609 D.C. Metro: (301) 586-0450



MARYLAND DEPARTMENT OF THE ENVIRONMENT
1800 Washington Boulevard • Baltimore MD 21230
410-537-3000 • 1-800-633-6101

Robert L. Ehrlich, Jr.
Governor

Kendall P. Philbrick
Secretary

Michael S. Steele
Lt. Governor

Jonas A. Jacobson
Deputy Secretary

GENERAL TIDAL WETLANDS LICENSE

06-GL-1343

Larson's Investments, LTD.
C/o Lee Larson
P.O. Box 168
Childs, MD 21916

Under the authority of the Board of Public Works of the State of Maryland and in accordance with Title 16, Wetlands and Riparian Rights, Environment Article, Annotated Code of Maryland and COMAR 23.02.04 and COMAR 26.24 and the conditions of this license, the licensee is authorized to perform the following activity:

To emplace 350 feet of riprap revetment within a maximum of 8 feet channelward of the mean high water line as depicted on the attached plans dated April 4, 2006. Project is located on North East River at the southern portion of North East Isles Road, North East in Cecil County.

By applying for and receiving this General License the licensee shall be considered to have knowledge of and to have accepted the special and general conditions of this license. Licensee agrees that all work shall be performed in compliance with these conditions.

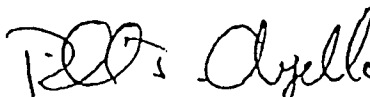
This general license is subject to the following conditions:

GENERAL CONDITIONS

- A. The licensee shall obtain an approved sediment and erosion control plan from the local soil conservation district when the area disturbed is greater than 5000 square feet;
- B. The licensee certifies real property interest in the contiguous upland;
- C. This license is valid only for use by the licensee. Permission for transfer of the license shall be obtained from the Maryland Department of the Environment. The terms and conditions of this license shall be binding on any assignee or successor in interest of the license;
- D. The licensee acknowledges that this license does not transfer any property interest in State tidal wetlands. This license allows the licensee to use State tidal wetlands only for the structure or activity authorized herein and in no way limits the use of waters of the State by the public;

- E. This license is void if the licensee fails to obtain all required State, federal, and local approvals before beginning work on the licensed structure or activity;
- F. The licensee shall allow representatives of the Maryland Department of the Environment to enter the property at reasonable times to inspect the ongoing or completed work under the license;
- G. The licensee shall make every reasonable effort to design and construct the structure or perform the activity authorized in this license in a manner which minimizes adverse impacts on natural resource values, including water quality, plants, wildlife, plant and wildlife habitat, and on historic property values;
- H. The licensee shall notify the Water Management Administration, Inspections and Compliance Division at (410) 537-3532 at least 5 days before beginning the activity;
- I. This license expires 3 years after the date of issuance. The licensee shall complete construction of the activity authorized under this license within the allowed 3 years, otherwise a new general license shall be obtained;
- J. The Maryland Department of the Environment may suspend or revoke this license upon written finding for good cause that suspension or revocation is in the State's best interest.

Sincerely,



Richard J. Ayella, Chief
Tidal Wetlands Division

Date of Issuance: April 4, 2006
RAMS Tracking Number: 200662675

200662675
06-61-1343
page 1 of 2
4/4/06

JOB LARSON'S INVESTMENTS, LTD

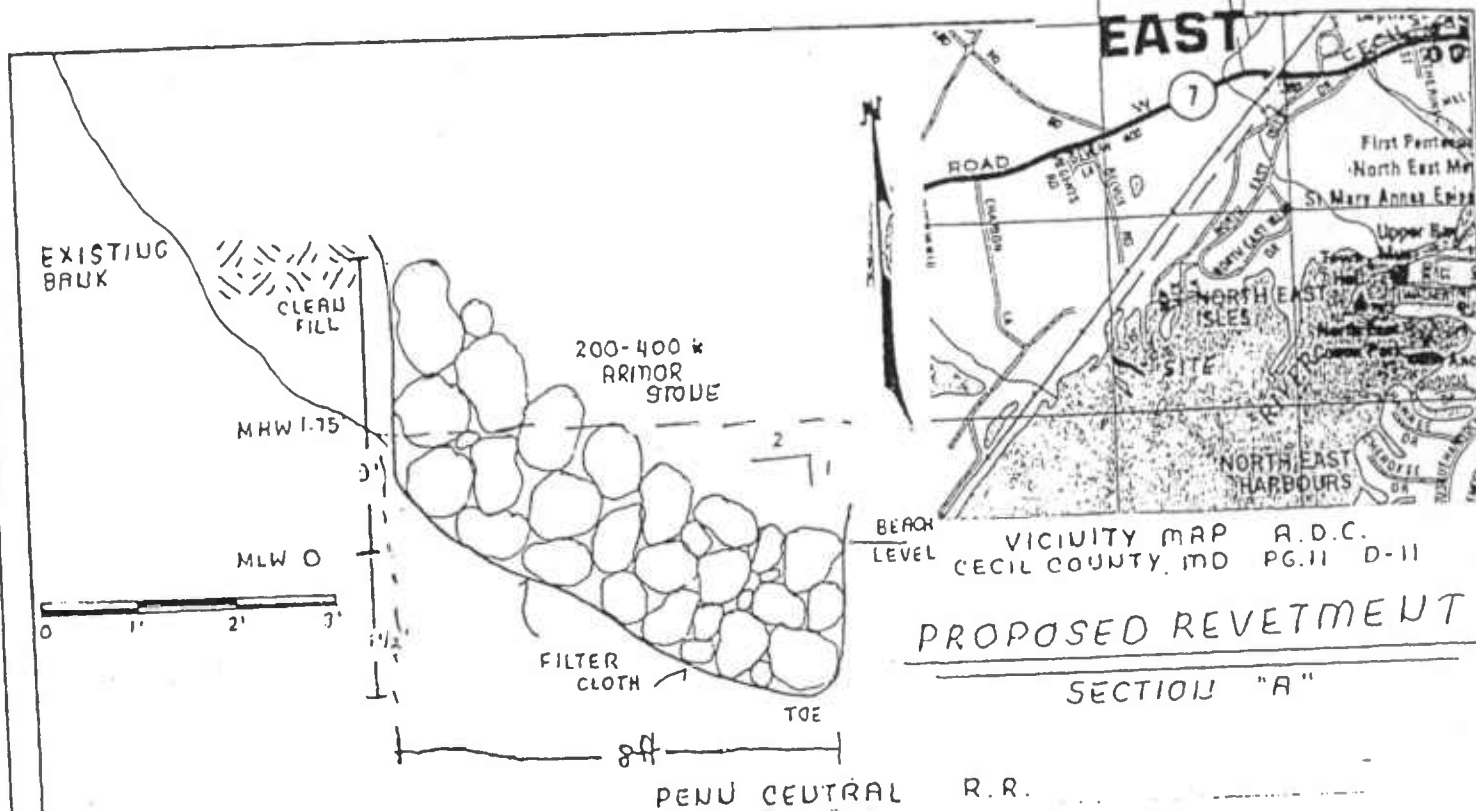
SHEET NO. 1 OF 2

CALCULATED BY DATE

CHECKED BY DATE

SCALE

**NORTH
EAST**



**PROPOSED REVETMENT
SECTION "A"**

PENN CENTRAL R.R.

PROPERTY OF
LARSON'S INVESTMENTS LTD.
P.O. BOX 168
CHILDS, MD 21916-0168

LOT 100

LOT 99

LOT 98
PROPERTY OF
LARSON'S INVESTMENTS LTD
P.O. BOX 168
CHILDS, MD 21916-0168

SECTION "B"
250'

PROPERTY OF
CLINT+ JOYCE BLITHE
1390 SAWMILL RD
DOWNTOWN, PA

EBB
FLOOD

PROPOSED
REVEMENT
SECTION "A" 100'

NORTH EAST RIVER

NOTES:

1) REVEMENT TO EXTEND OUTBOARD
NO FURTHER OF MHW THAN NECESSARY
TO MAINTAIN 2:1 SLOPE

2) NOT TO SCALE

FOR DESIGN PURPOSE

**PROPOSED STONE REVEMENT
ON NORTH EAST RIVER
AT NORTH EAST ISLES
NORTH EAST, MARYLAND
CECIL COUNTY
APPL LARSON'S INVESTMENTS
MARCH 2006**

JOB _____

SHEET NO. 2 OF 2

CALCULATED BY _____ DATE _____

CHECKED BY _____ DATE _____

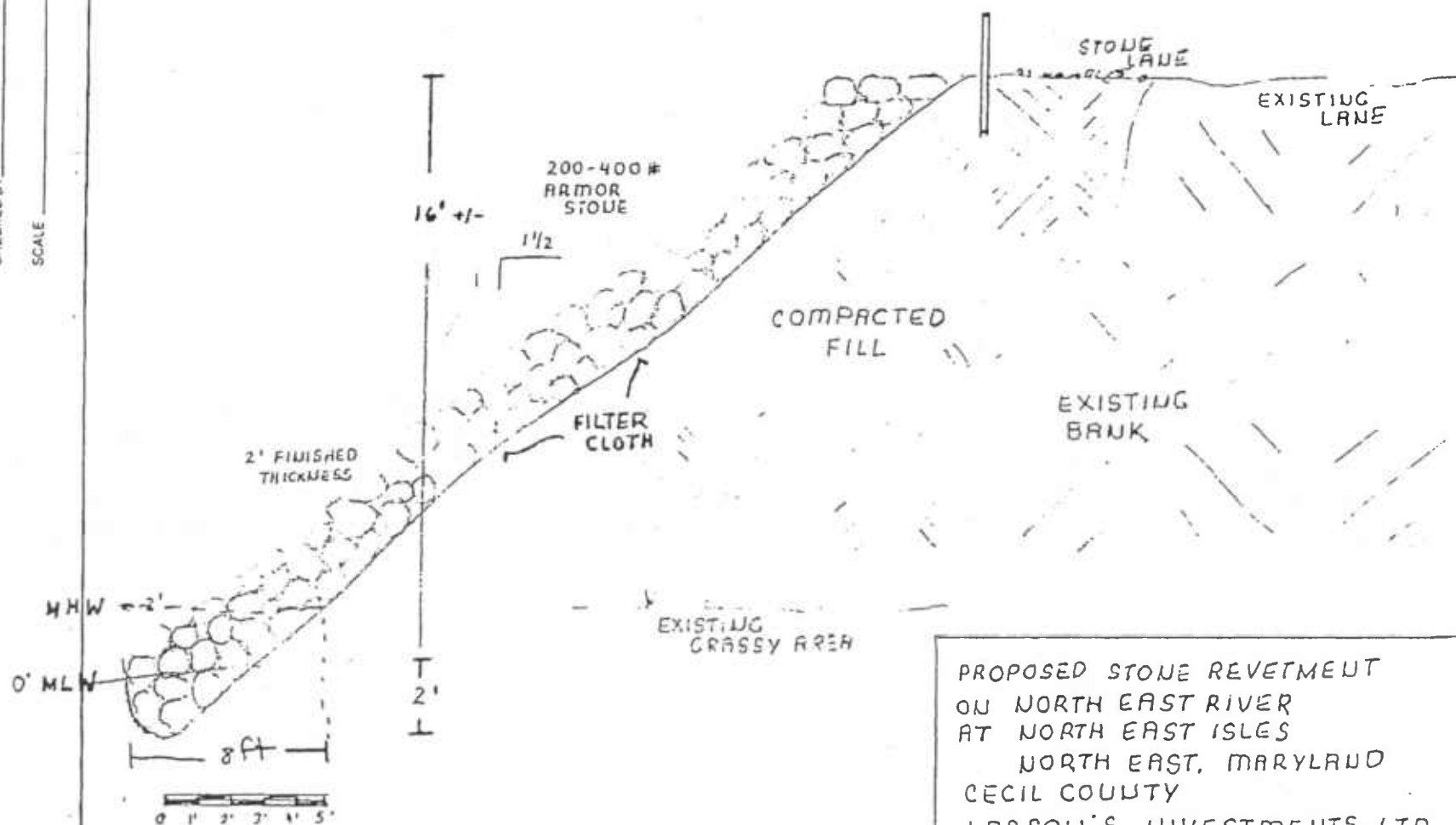
SCALE _____

NOTES

- 1) REVETMENT TO EXTEND OUTBOARD NO FURTHER OF MHW THAN NECESSARY TO MAINTAIN 1 1/2 SLOPE
- 2) NOT TO SCALE
- 3) PLAN FOR PERMIT PURPOSE

PROPOSED REVETMENT SECTION "B"

200662675
06-66-1343
Page 2 of 2
4/4/06



PROPOSED STONE REVETMENT
ON NORTH EAST RIVER
AT NORTH EAST ISLES
NORTH EAST, MARYLAND
CECIL COUNTY
LARSON'S INVESTMENTS, LTD
MARCH 2006

REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
BALTIMORE DISTRICT, U.S. ARMY CORPS OF ENGINEERS
P.O. BOX 1718
BALTIMORE, MD 21203-1718

IMPORTANT INFORMATION ABOUT YOUR PROJECT

Date: April 11, 2006

Corps Permit No.: 200662675

MDSPGP-2 Category and Activity No.: I-G2

Permittee/Project Name: Larson Investments LTD

Dear Applicant:

The U. S. Army Corps of Engineers, Baltimore District, has determined that the proposed work meets the terms and conditions of the Maryland State Programmatic General Permit (MDSPGP-2), provided the work is completed in compliance with the enclosed plan(s), the standard MDSPGP-2 conditions, the applicable MDSPGP-2 activity-specific conditions, and special conditions (enclosed, if applicable). This MDSPGP-2 verification is provided pursuant to Section 10 of the Rivers and Harbors Act of 1899 and/or Section 404 of the Clean Water Act. If any of the information contained in your application and/or plans is later found to be in error, the MDSPGP-2 authorization for your project may be modified, suspended, or revoked.

Your MDSPGP-2 authorization is valid for three years from the date of this letter, or until September 30, 2006, whichever is sooner, unless the MDSPGP-2 is modified, reissued, or revoked. If the MDSPGP-2 is modified, reissued, or revoked, your authorization may be valid for less than three years. You must remain informed of the changes to the MDSPGP-2. When changes to the MDSPGP-2 occur, a public notice announcing the changes will be issued. If you have not completed this work before the date that the MDSPGP-2 is modified or revoked, you will have 12 months from the effective date of the modification or revocation to complete the work under the present terms and conditions of this MDSPGP-2.

In order for this authorization to be valid, you must obtain all required Federal, State, and local permits.

Walter Washington, Jr.
Chief, Maryland Section Southern

Janet M. Vine
Chief, Maryland Section Northern

JOINT FEDERAL / STATE APPLICATION FOR THE ALTERATION OF ANY TIDAL WETLAND IN MARYLAND

- All applications must be accompanied by plan drawings which show the location and character of the proposed work. For specific information on what is required on the plans, refer to the instruction package. 8-1/2" x 11" black & white drawings are required for every application. Full construction plans are required for projects submitted to the Waterway Permits Division.
- Any application which is not completed in full or is accompanied by poor quality drawings may be returned and will result in a time delay to the applicant.
- If you need help understanding how to fill out the application form, please refer to the instruction booklet.

APPLICATION NUMBER:

(To be assigned by the agencies)

1. APPLICANT INFORMATION:

Name: LARSON'S INVESTMENTS, LTD. Telephone: (410) 392 5175
 Address: P O BOX 162
 City: CHILDS State: MD Zip: 21916

2. AGENT / ~~ENGINEER~~ INFORMATION:

Name: LEE LARSON Telephone: (410) 392 5175
 Address: P O BOX 162
 City: CHILDS State: MD Zip: 21916

3. PRINCIPAL CONTACT, if not the applicant:

Name: LEE LARSON Telephone: (410) 392 5175

4. PROJECT DESCRIPTION: EMPLACE APPROXIMATELY 350' OF STONE REVTMENT AT BASE OF BANK

5. PROJECT PURPOSE:

| | | |
|---|--------------------------|-----------------------------------|
| <input checked="" type="checkbox"/> Shore Erosion Control | Erosion/Sediment Control | Storm Drain/Stormwater Management |
| Utility Installation | Improve Navigable Access | Marina |
| Create Waterfowl Habitat | Improve Fish Habitat | Fill |
| Temporary Construction | Stream Channelization | Bridge |
| Beach Nourishment | Maintenance/Repair | Dam |
| Residential/Commercial Development | Small Pond | Road |
| Other: (describe) _____ | | Culvert |

CERTIFICATION:

I hereby designate and authorize the agent named above to act on my behalf in the processing of this application and to furnish any information that is requested. I certify that the information on this form and on the attached plans and specifications is true and accurate to the best of my knowledge and belief. I understand that any of the agencies involved in authorizing the proposed works may request information in addition to that set forth herein as may be deemed appropriate in considering this proposal. I grant permission to the agencies responsible for authorization of this work, or their duly authorized representative, to enter the project site for inspection purposes during working hours. I will abide by the conditions of the permit or license if issued and will not begin work without the appropriate authorization. I also certify that the proposed works are not inconsistent with Maryland's Coastal Zone Management Plan.

APPLICANT MUST SIGN: Lee M. Larson Date 3-15-06

PLEASE COMPLETE THE REVERSE SIDE

6. **PROJECT LOCATION:** This project is in ☒ Tidal ☐ Non-Tidal Waters (Please Check One)

County: CECILName of Waterway: NORTH EAST RIVERSite Address or Location: SOUTHERN PORTION OF NORTH EAST ISLES

Directions from nearest intersection of two state roads: RT 7 + 272 RT 7 WEST 1/4 MILE LEFT
INTO NORTH EAST ISLES GO TO END OF PAVED RD. DIRT RD TO END

County Book Map (A.D.C.) Coordinates: Map: 11 Letter: D Number: 11**7. TYPE OF PROJECT:**

| Work Proposed | Overall Length (in feet) | Average Width (in feet) | Maximum Distance Channelward From Mean High Water For projects in tidal waters (in feet) |
|---------------|-----------------------------|----------------------------|---|
|---------------|-----------------------------|----------------------------|---|

Bulkhead

Revetment

Vegetative Stabilization

Gabions

Groins or Jetties

Boat Ramp

Pier

Breakwater

Road Crossing

Utility Line

Outfall Construction

Dredging

New Maintenance

Hydraulic Mechanical

Other: For other projects, please supply project dimensions including the area of disturbance (acreage), volume of fill (cubic yards), type of fill, and area (acreage) of wetlands to be impacted.

8. PROPOSED STARTING DATE: APRIL 2006**9. CONTRACTOR'S NAME (if known):** UNKNOWN**10. LAND USE:**

| Current Use Is | Agriculture | Wooded | Marsh/Swamp | Meadow | Developed |
|--------------------|---|-------------------------------------|--------------------------------------|---------------------------------|-----------|
| Present Zoning is: | <input checked="" type="checkbox"/> Residential | <input type="checkbox"/> Commercial | <input type="checkbox"/> Agriculture | <input type="checkbox"/> Other: | |

11. OTHER PERMITS REQUIRED: ☐ Building Permit ☐ Soil Conservation District ☐ Other:**12. NOTIFICATION OF ADJACENT PROPERTY OWNERS:**

The applicant/agent will be informed by the permitting agencies when notification of adjacent property owners is required

IMPORTANT: PLEASE MAIL FIVE COPIES OF THE APPLICATION, SITE PLAN, AND VICINITY MAP (WITH PROJECT LOCATION PINPOINTED) TO:

MDE, WATER MANAGEMENT ADMINISTRATION
REGULATORY SERVICES COORDINATION OFFICE
1800 WASHINGTON BOULEVARD, SUITE 430
BALTIMORE, MARYLAND 21230
1-800-876-0200 OR (410) 537-3762



Maryland Department of Planning

Farris W. Glendening
Governor

Kathleen Kennedy Townsend
Lt. Governor

Harold Ferguson
Secretary

Ronald A. Young
Deputy Secretary

February 28, 2003

Ms. Betsy Vennell
Planning and Zoning Assistant
Town of North East
106 South Main Street
P.O. Box 528
North East, Maryland 21901-0528

Re: Parcels 98,99,100

Dear Betsy:

Parcels 98, 99 and 100 are in the Chesapeake Bay Critical Area designation I.D.A. For development of a single family home on one or all the parcels, the following must be met to insure compliance with the Town's Critical Area Regulations.

1. Due to the sensitivity of this site, a Standard Sediment and Erosion Plan must be submitted for any home site and any disturbance associated with the roadway.

2. All parcels are subject to an impervious surface limitation and must be verified on the plot plan. Impervious surface areas include: the footprint of houses, walkways and driveways. These lots are considered grandfathered, therefore, the impervious surface is limited to 25% of each parcel. According to my records, parcel 98 is .8645 acres, parcel 99 is .4576 acres, and parcel 100 is 1.023 acres. Based on the 25% impervious surface limit, the following would apply:

Parcel 98 - approximately 9,414 square feet impervious coverage

Parcel 99 - approximately 4,988 square feet impervious coverage

Parcel 100 - approximately 11,124 square feet impervious coverage

3. The footprint of these lots are very close to the 100 foot Critical Area Buffer as shown on the site plan for North East Isles. The plot plan must delineate the Buffer and limits of disturbance. Buffer disturbance must be identified along with mitigation measures for any disturbance. Mitigation shall be in the form of tree and shrub plantings three times the disturbed area.

July 23, 2007

Mr. Bruce Beasman
Frederick Ward Associates, Inc.
P.O. Box 727
5 South Main Street
Bel Air, Maryland 21014

Subject: Geotechnical Engineering Study, North East Isles,
North East Isles Drive, North East, Maryland
(SE Reference No. 07140030.00)

Dear Mr. Beasman:

We are pleased to submit three copies of our geotechnical engineering report for the above referenced project. Our services were provided in accordance with our contract dated June 5, 2007.

1.0 OBJECTIVE AND SCOPE

The objective of our geotechnical engineering study was to evaluate the subsurface conditions and the existing slope at the project site and provide geotechnical conclusions and recommendations regarding the existing slope stability. Our scope of services included three test borings, preparing soil boring logs, soil laboratory testing, and preparation of this geotechnical engineering report. This geotechnical engineering report includes the evaluation of the test boring results, water level readings, geology, physical soil tests, site observations, and related structural data to develop the following:

- Our evaluation of the estimated subsurface conditions based on the test borings.
- Assessment of the stability of the on-site slope at the mean high water level provided to us, based on estimated soil parameters.
- Conceptual design recommendations for stabilization and protection of the onsite slopes, if required.
- Discussion of the vibration levels recorded at the site.

- Assessment of subgrade conditions for support of flexible pavements.
- Assessment of on-site soils for reuse as compacted fills.
- Discussion of construction considerations related to earthwork, compaction, and scope of quality control work necessary during construction of the roadway and utility trenches.

Services with respect to environmental or wetland assessments, erosion control, cost or quantity estimates, plans, specifications, pavement design, and construction observation and testing were not included in the scope of services.

2.0 SITE AND PROJECT DESCRIPTION

2.1 Project Description

We understand that new homes are planned for North East Isle Drive Lots 98, 99, and 100 in North East, Maryland. In order to access the lots, the existing gravel drive will be improved. The driveway lies at the top of a slope. The Town of North East has requested a study of the existing slopes be performed prior to starting construction of the roadway. Proposed construction and site information were provided to us by Frederick Ward Associates, Inc.

2.2 Site Observations

We visited the site on June 25, 2007 and observed the existing slope and roadway conditions. The residential lots are accessed by a gravel road along the shore of the Northeast River. The road is above a steep slope that runs parallel to the shoreline. The slope is bounded to the north by Amtrak railroad tracks that are nearly 50 feet from the roadway at its closest point, and to the south by the Northeast River at the toe of the slope. The slope is about 300-feet long and the top of the slope was about 25 to 30 feet above the water at the time we measured.

We also observed the following features on the slope:

1. There is large stone placed along the edge of the roadway at the top of the slope in the area where the borings were performed.
2. A 15-inch corrugated metal drain pipe was observed just east of boring B-2 that drained water from upslope of the drive, under the roadway onto the slope, about 1-foot below the roadway surface. The pipe discharged onto the large stone on the slope.
3. The shoreline down slope of Borings B-2 and B-3 appears to differ from the contours shown on the topographic plan provided to us. We suspect the shoreline has eroded into the slope in several places. The base of the slopes in a few areas are near vertical, with the roots of the nearby trees exposed. The height of the vertical erosion ranged from 3-4 feet in height, and 8 to 15 feet in length.

4. The slope is heavily wooded, with mostly mature trees, estimated to be at least 30 years old. Most trees are vertical. Several trees were observed to be leaning down-slope. However, the crowns of all of these trees appear to have been growing vertical for some time. We estimate the leaning trees may be from sunlight, and not former slope movements.
5. We did not observe any evidence of movements such as cracks, slumps, water seepage, or soft areas on the slope we observed.

3.0 SUBSURFACE EXPLORATION

3.1 Exploration Techniques

Connelly & Associates, Inc. drilled three test borings, under our supervision, on June 25, 2007. Results of the test borings and a location plan are included in Enclosure No. 3. We will retain soil samples up to 60 days beyond the issuance of this report, unless you request other disposition.

We performed soil laboratory testing on samples collected to develop our geotechnical recommendations. Enclosure No. 1 includes our summary of soil laboratory test results and laboratory test curves.

3.2 Generalized Subsurface Strata and Geology

We have characterized the following generalized subsurface soil stratigraphy based on the boring data presented in Enclosure No. 3:

Surface Material:

The borings were conducted in the gravel roadway at the top of the slope and encountered gravel to depths of approximately 4-inches at all of the test boring locations. The test boring data indicates the approximate depth of gravel as indicated by our visual identification procedures.

Stratum A: Existing Fills

Existing FILL soils were encountered below the ground surface to depths of 1.5 to over 10-feet at all the test boring locations. The fills were visually classified as Sandy Silt and Sandy Clay, with varying amounts of gravel. Based on the standard penetration tests performed, the fills appear to have consistencies of soft to medium stiff: $N = 3$ to 7 bpf.

Stratum B: Potomac Group

Potomac group soils were encountered below Stratum A in all of the test borings. Potomac group soils are coastal plain deposits of the Cretaceous geologic age. They are locally known to be highly overconsolidated and generally consist of interbedded quartzose gravels; protoquartzitic to orthoquartzitic argillaceous sands; and white, dark gray and multicolored silts and clays. The Potomac group soils observed in all three test borings were visually classified as orange, red, white and gray SAND (SP, SC, SM), SILT (ML) and CLAY (CL),

with varying amounts of gravel. The Stratum B soils were encountered to depths of 18.5 to 33.5-feet. Based on the standard penetration tests performed, this stratum has densities of loose to very compact and consistencies of medium stiff to very stiff: N=6 to 62 bpf.

Stratum C: Residual Soils

Residual soils were encountered below Stratum B in all of the test borings. The soils of Stratum C are developed from in-place physical and chemical weathering of the parent rock. Local geologic maps indicate that the residual soils underlying the site are weathered from Schist and mica Gneiss. The residual soils were visually classified as dark greenish-gray, bluish-gray, white, green, gray, orange, tan, and brown; SAND (SM, SC), SILT (ML, MH), and CLAY (CL, CH) with varying amounts of mica and rock fragments. The residual soils were encountered to a depth of 38.5-feet in boring B-1, and to the test boring termination depths of 40-feet in borings B-2, and B-3. Based on the standard penetration tests performed, this stratum has firm densities and consistencies of stiff to hard: N = 16 to 65 bpf.

Stratum D: Disintegrated Rock

Disintegrated Rock was encountered below Stratum C in test boring B-1 to the test boring termination depth of 40-feet. Disintegrated rock of Stratum D is defined as residual earth material with a Standard Penetration Resistance between 60 blows per foot and auger refusal. This material may exhibit certain rock-like qualities. Some denser portions of this material could possess characteristics of soft rock.

The numbers after the description of the soil strata indicate the minimum and maximum penetration resistance, or N value, in each stratum. N values are described on the Subsurface Investigation Procedures in Enclosure No. 3.

The symbols indicated on the boring logs represent the Unified Soil Classification System (ASTM D-2487) group symbols based on limited soil laboratory testing and visual identification of the specimens recovered. Criteria for visual identification of soil are given in Enclosure No. 1 of this report.

3.3 Water Levels

Water level readings were taken during drilling, at the completion of drilling, and at the end of the day. Water levels are indicated on the test boring logs included in Enclosure 3. Water was encountered during drilling at depths of 13.5 to 23.5-feet (EL-4.5 to EL6.5) in all test borings.

The water levels on the logs show our estimate of the hydrostatic water table at the time of drilling. Fluctuations are expected in the hydrostatic water table depending on variations in precipitation, surface runoff, evaporation, tides, and similar factors.

3.4 Soil Laboratory Testing

Laboratory tests were performed on selected samples of soil for classification, liquid and plastic limits, and moisture content testing. Results of the soil laboratory testing are indicated on the Summary of Soil Laboratory Tests in Appendix C.

Soil classification testing was performed on two samples taken from the Stratum B Potomac soils. The samples were classified as LEAN CLAY (CL) and Clayey SAND (SC) per ASTM D-2487. Liquid and plastic limit testing performed on these samples indicated liquid limits of 36 and 39 and plastic limits of 13 and 22. These samples had 76.1 and 48.4 percent fine grained soils passing the No. 200 sieve.

Soil classification testing was performed on one sample of Stratum C Residual soil. The sample was classified as a Silty SAND (SM) per ASTM D-2487. Liquid and plastic limit testing performed on this sample indicated a liquid limit of 41, and a plastic limit of 28. The sample had 44.1 percent fine grained soils passing the No. 200 sieve.

Moisture content testing was performed on samples of Strata A, B, and C soils. The moisture contents of the soils of Stratum A ranged from 19.7 to 29.1 percent; Stratum B ranged from 10.6 to 24.2 percent; and a sample tested from Stratum C had a moisture content of 14.3 percent. The moisture content results are shown on the test boring logs.

4.0 GEOTECHNICAL ANALYSIS AND RECOMMENDATIONS

4.1 Slope Stability Analysis

We analyzed the existing slope below the driveway to estimate the existing factor of safety against a sliding failure. We considered cross sections at each bring location to perform the stability analysis. The slope stability analyses were performed using the SLOPE/W computer program.

The slope stability analysis considers the forces acting along many potential failure surfaces within the limits specified by the designer. For each surface, the forces that would cause the slope to slide (driving) and the forces resisting the sliding of the slope are calculated. A factor of safety against a failure along the assumed failure surface is calculated by dividing the resisting forces by the driving forces. Therefore, a factor of safety of less than 1.0 would indicate that slope failure would occur. Based on the site conditions, risk of failure, and the soil parameters we selected, we recommend a minimum factor of safety of 1.3 for the slope.

4.1.1 Soil Parameters

The soil parameters shown below were used for the stability analysis. The parameters were selected based on the test borings, our local experience, and published data. The parameters for each soil layer are included on the soil profiles in Enclosure No. 2.

Table 1 Slope Stability Soil Parameters

| Geology | Soil Type | Total Unit Weight (pcf) | Friction Angle (degrees) | Cohesion (pcf) |
|---------------------|------------------|--------------------------------|---------------------------------|-----------------------|
| Fill | Clay | 110 to 115 | 26 | 40 to 50 |
| | Sand | 110 | 28 | 10 |
| Potomac Group Soils | Clay | 115 | 18 | 60 |
| | Silt/Sand | 115 to 125 | 28 to 36 | 20 to 55 |
| Residual Soils | Clay | 120 | 30 | 60 |
| | Silt/Sand | 125 | 34 | 20 |

4.1.2 Existing Slope Stability Conditions

We analyzed the existing slope at the three boring locations. We selected cross sections of the slope based on the site topographic plans provided to us, as shown on the test boring location plan in Enclosure 3. We modified the base of the slope sections to reflect our observations on-site. The cross sections used in our analyses are shown in Enclosure 2.

Based on the soil parameters, water elevations, and the slope geometry used in our analysis, we calculated minimum slope factors of safety of 1.2, 1.7, and 1.3 at the locations of test borings B-1, B-2, and B-3, respectively. A minimum factor of safety of 1.3 is recommended. Based on our analysis, the slope at test boring B-1 does not achieve the recommended factor of safety.

During our visits, we observed mature trees along the slope, which suggests that the slope has been in-place for many years. We also did not observe evidence of slope failures. Therefore, it appears that the slope has performed adequately in the past and is generally stable.

Assuming that the new slope configuration will not be steeper than what is shown on the cross sections, and that proper protection of the slope toe will be performed as recommended in Section 4.1.3, we believe the slope is sufficiently stable for the support of the driveway.

4.1.3 Recommendations

Based on our understanding of the project, our field observations and our analysis, we recommend that the base of the slope be protected from erosion from the North East River. The protection measures should be designed and installed to prevent further loss of soils from the slope toe. Furthermore, the measures should replace the soils that been eroded from around the existing trees at the base of the slope. Where the slope base has been eroded, causing the 3-4 feet high near vertical slopes, we recommend rip rap material be placed against the near vertical face to support the toe of the slope. We understand that rip rap erosion control measures are planned and have been approved for the project.

All surface water from runoff, drainage pipes, etc., should be carried to the base of the slope to minimize water infiltration into the slopes. Placement of water lines, storm drains, culverts, etc. in the slopes should be avoided. Underground utilities above the slopes should be placed on firm bedding and installation carefully performed to minimize water leakage due to pipe settlement or cracks. Periodic maintenance and inspection of all water-bearing utilities should be performed to check for and repair leaks.

Site grading should provide positive drainage away from the slope crest and prevent ponding on top of the slopes. Ponding of water on or above the slopes should not be allowed. It is critical that water not be allowed to enter into the slope soils, as this is a primary cause of slope failures and surface erosion.

The slopes must be properly maintained. The slopes should be inspected annually to check for signs of slope failure including wet spots, slumps, cracks, etc. on the surface of the slopes. Areas without vegetation should be reseeded. Gullies should also be filled and reseeded or sodded. If wet spots, slumps, or cracks are observed, an engineer should be contacted to assess the problem and determine corrective measures, if needed.

4.2 Pavement Support

For our analysis, we assumed that the pavement grades would be close the existing grades and location of the gravel driveway. Therefore, we expect that the surficial soils found in the test borings will be present at the road subgrades. Existing fills are expected at pavement subgrades. Some of the existing fills were soft and may not be suitable for direct pavement support. Where soft or otherwise unsuitable soils are encountered, the unsuitable soils should be undercut to firm soils or to a maximum depth of 18-inches and replaced with new compacted fill. Pavement subgrades should be prepared as described in Section 5.1 of this report.

4.3 Ground Vibrations

We installed a seismograph at the site to record vibration levels generated by passing trains, due to the proximity of the nearby railroad tracks. The seismograph was installed on the driveway in firm soil, approximately 50 feet from the railroad tracks, and southwest of boring B-1. The vibration levels were recorded from about 8:00 AM to 3:00 PM on June 25, 2007. The times at which trains passed were also recorded to correlate with the peak vibration readings.

The results of the seismic monitoring indicate minimal vibration levels at the site, and the vibrations from the passing trains were not detected by our personnel. The peak recorded vibration level was 0.025 inches per second, which is well below the levels prescribed for roadways and slopes.

5.0 CONSTRUCTION CONSIDERATIONS

5.1 Pavement Subgrade Preparation

The pavement subgrades should be rolled with at least two passes of a minimum static weight, 5-ton roller. The subgrade soils should be compacted to at least 95 percent of the dry density per ASTM D-698, Standard Proctor. In areas where the subgrades pump or rut under the roller, where soft or loose soils are present, or where the subgrades have been disturbed from the construction operations or exposure to weather, the wet soils may be scarified, dried to near optimum for compaction, and compacted. If this is not feasible, the unsuitable soils should be removed and replaced with compacted fill. Some undercutting of pavement subgrades should be expected as discussed in Section 4.2. New fill should be placed and compacted as described in the next section. Additional undercutting may be required if the soils are exposed to the weather or excessive construction traffic.

Site grading should carry surface water away from the subgrades. If water is allowed to pond on the subgrades, deterioration and additional undercutting of the subgrade soils will be required.

We strongly recommend that earthwork operations be scheduled from May to October to reduce the risks of delays and difficulties associated with wet fill soils, dewatering, and disturbance of the subgrade soils.

5.2 Compacted Structural Fill

Compacted fill placed for support of the new roadway should consist of soils classified as SM, SP, SW, GM, GC, GP, or GM per ASTM D-2487. The fill soils should have a plasticity index less than 20 when tested in accordance with ASTM D-4318. All compacted fill should be free of organics, roots, debris and rock larger than 4-inches in diameter. The compacted fill should be placed in lifts not exceeding eight inches in loose thickness and compacted to at least 95 percent of maximum dry density per ASTM D 698, Standard Proctor. Compacted structural fill should be placed at moisture contents to facilitate compaction. Fill lifts for hand tampers should not exceed 4-inches.

Natural moisture contents of the on-site soils collected from the near surface soils in the test borings were found to be above 19.7 percent. Moisture contents of the surficial soils are believed to be above the optimum moisture content for compaction. Thus, scarifying and drying of the surface soils should be expected. However, moisture contents will fluctuate dramatically with the season and precipitation. We recommend that earthwork operations be scheduled from May to October to reduce the risks of delays and difficulties associated with wet fill soils, and dewatering.

6.0 GENERAL AND LIMITATIONS

The analyses and recommendations submitted in this report are based on the data obtained from the test borings performed at the locations indicated on the location plan. This report does not reflect any conditions which may occur at other portions of the site. The nature and extent of variation

between these borings may not become evident until during construction. It is therefore, essential, that we observe the subgrades during the construction period to ascertain if a reevaluation of the recommendations contained in this report must be made.

An allowance should be established to account for possible additional costs that may be required for earthwork. Additional costs may be incurred for various reasons including undercutting unsuitable soils, drying fill soils, additional fill soils, importing fill soils, wasting unsuitable soils, slope repair, etc.

This report has been prepared to assist the design professionals in the design and preparation of drawings and specifications for this project. It should be made available to prospective bidders for informational purposes. We would recommend that the project specifications contain the following statement:

"A geotechnical engineering report has been prepared for this project by Schnabel Engineering. This report is for informational purposes only and should not be considered part of the contract documents. The opinions expressed in this report are those of the geotechnical engineer and represent their interpretation of the subsurface conditions, tests, and the results of analyses, which they have conducted. Should the data contained in this report not be adequate for the contractor's purposes, the contractor may make his own exploration, tests, and analyses prior to bidding. Contractors desiring to conduct additional subsurface explorations prior to bidding should contact the architect for arrangements to enter the project site."

Additional data and reports as prepared by others that could impact upon a contractor's bid should also be made available to prospective bidders for informational purposes.

This report is based on the design concept of the proposed project as submitted to our office during the preparation of this report. It is recommended that we be provided the opportunity to review the plans and earthwork specifications in order to determine if any changes in concept affects our recommendations, and whether our recommendations have been properly applied in developing the plans and specifications.

We have endeavored to complete the services identified herein in a manner consistent with that level of care and skill ordinarily exercised by members of the profession currently practicing in the same locality and under similar conditions as this project. No other representation, express or implied, is included or intended in this document.

Frederick Ward Associates, Inc.

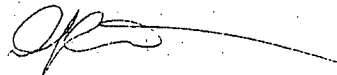
July 23, 2007

Page 10

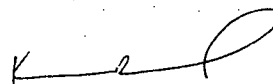
We appreciate the opportunity to serve you for this project. We look forward to providing any requested additional geotechnical consulting services that may be required. If you have any questions regarding this study or need additional information, please feel free to call us.

Sincerely,

SCHNABEL ENGINEERING NORTH, LLC



David L. Carpenter, P.E.
Project Engineer



Kenneth E. Derrenbacher, P.E.
Branch Manager



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- Enclosures:**
- (1) **SOIL LABORATORY TESTS**
Identification of Soil
Summary of Soil Laboratory Testing
Gradation Curves
 - (2) **SLOPE STABILITY ANALYSES**
Slope Sections (3sheets)
 - (3) **SUBSURFACE EXPLORATION DATA**
Subsurface Investigation Procedures
General Notes for Test Borings Logs
Test Boring Logs (3)
Test Boring Location Plan

Schnabel Engineering North, LLC

North East Isles
Contract No. 07140030.00

ENCLOSURE NO. 1

SOIL LABORATORY TESTS
Identification of Soil
Summary of Soil Laboratory Testing
Gradation Curves

SCHNABEL ENGINEERING NORTH/SOUTH, LLC

Consulting Geotechnical Engineers

IDENTIFICATION OF SOIL

I. DEFINITION OF SOIL GROUP NAMES

ASTM D2487

Symbol

Group Name

| | | | | |
|---|---|---|----|----------------------|
| Coarse-Grained Soils More than 50% retained on No. 200 sieve | Gravels - More than 50% of coarse fraction retained on No. 4 sieve Coarse, : to 3" Fine, No. 4 to :" | Clean Gravels Less than 5% fines | GW | Well graded gravel |
| | | | GP | Poorly graded gravel |
| | | Gravels with Fines More than 12% fines | GM | Silty gravel |
| | | | GC | Clayey gravel |
| | Sands - 50% or more of coarse fraction passes No. 4 sieve Coarse, No. 10 to No. 4 Medium, No. 40 to No. 10 Fine, No. 200 to No. 40 | Clean Sands Less than 5% fines | SW | Well graded sand |
| | | | SP | Poorly graded sand |
| | | Sands with Fines More than 12% fines | SM | Silty sand |
| | | | SC | Clayey sand |
| Fine-Grained Soils 50% or more passes the No. 200 sieve | Silts and Clays - Liquid Limit less than 50 Low to medium plasticity | Inorganic | CL | Lean clay |
| | | | ML | Silt |
| | Silts and Clays - Liquid Limit 50 or more Medium to high plasticity | Organic | OL | Organic clay |
| | | | | Organic silt |
| | | Inorganic | CH | Fat clay |
| | | | MH | Elastic silt |
| Highly Organic Soils | Primarily organic matter, dark in color, and organic odor | Organic | OH | Organic clay |
| | | | | Organic silt |
| | | | PT | Peat |

II. DEFINITION OF MINOR COMPONENT PROPORTIONS

Minor Component
Adjective Form
Gravclly, Sandy
With
Sand, Gravel
Silt, Clay
Trace
Sand, Gravel
Silt, Clay
Contains

Approximate Percentage of Fraction by Weight

30% or more coarse grained

15% or more coarse grained

5% to 12% fine grained

Less than 15% coarse grained

Less than 5% fine grained

Indicates presence only

III. GLOSSARY OF MISCELLANEOUS TERMS

SYMBOLS:

Unified Soil Classification Symbols are shown above as group symbols. Use A Line Chart for laboratory identification. Dual symbols are used for borderline classifications.

BOULDERS & COBBLES: DISINTEGRATED ROCK:

Boulders are considered rounded pieces of rock larger than 12 inches, while cobbles range from 3 to 12 inch size.

ROCK FRAGMENTS:

Residual rock material with Standard Penetration Resistance (SPT) of more than 60 blows per foot, and less than refusal. Refusal is defined as a SPT of 100 blows for 2" or less penetration.
Angular pieces of rock, distinguished from transported gravel, which have separated from original vein or strata and are present in a soil matrix.

QUARTZ:

A hard silica mineral often found in residual soils.

IRONITE:

Iron oxide deposited within a soil layer forming cemented deposits.

CEMENTED SAND:

Usually localized rock-like deposits within a soil stratum composed of sand grains cemented by calcium carbonate or other materials.

MICA:

A soft plate of silica mineral found in many rocks, and in residual or transported soil derived therefrom.

ORGANIC MATERIALS (Excluding Peat):

Topsoil - Surface soils that support plant life and which contain considerable amounts of organic matter;
Organic Matter - Soil containing organic colloids throughout its structure;
Lignite - Hard, brittle decomposed organic matter with low fixed carbon content (a low grade of coal).

FILL:

Man-made deposit containing soil, rock and often foreign matter.

PROBABLE FILL:

Soils which contain no visually detected foreign matter but which are suspect with regard to origin.

LENSES:

0 to 2 inch seam of minor soil component.

LAYERS:

2 to 12 inch seam of minor soil component.

POCKET:

Discontinuous body of minor soil component.

COLOR SHADES:

Light to dark to indicate substantial difference in color.

MOISTURE

CONDITIONS:

Wet, moist, or dry to indicate visual appearance of specimen.

Contract Number: 07140030.00
Project Name: North East Isles

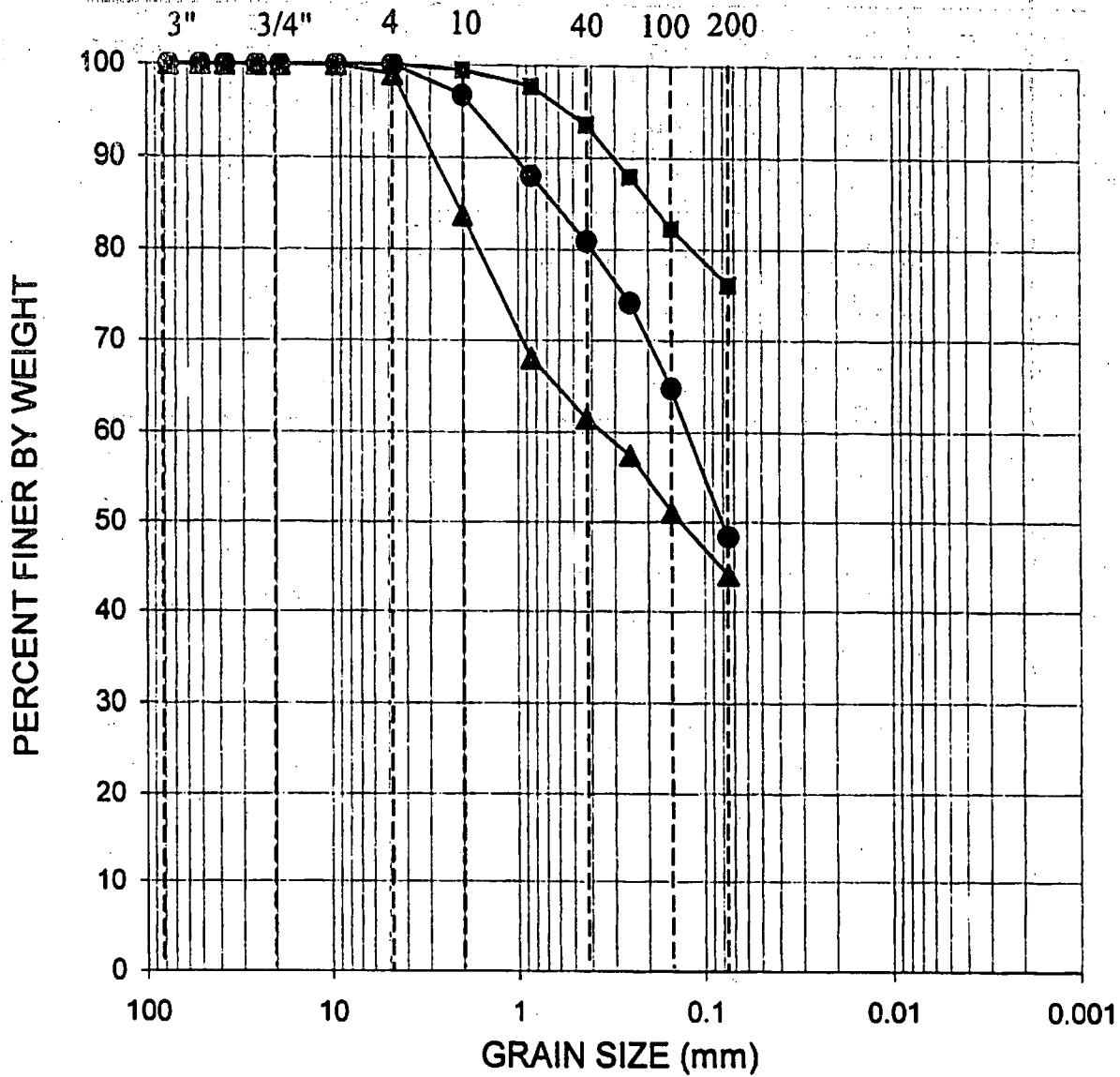
SUMMARY OF SOIL LABORATORY TEST RESULTS

| BORING NO. | DEPTH (ft.) | STRATUM | DESCRIPTION OF SOIL SPECIMEN | SAMPLE CLASS. | SIEVE RESULTS | | ATTERBERG LIMITS | | | NATURAL MOISTURE (%) |
|------------|-------------|---------|--|---------------|------------------------|-----------------------|------------------|----|----|----------------------|
| | | | | | PERCENT PASSING NO.200 | PERCENT RETAINED NO.4 | LL | PL | PI | |
| B-1 | 5.0-6.5 | | LEAN CLAY, with sand, gray | CL | 76.1 | 0.0 | 39 | 13 | 26 | 19.9 |
| B-1 | 18.5-20.0 | | Silty SAND, trace rock fragments, gray-brown | SM | 44.1 | 1.0 | 41 | 28 | 13 | 14.3 |
| B-3 | 18.5-20.0 | | Clayey SAND, white | SC | 48.4 | 0.0 | 36 | 22 | 14 | 24.2 |


NOTES:

1. Soil tests are in accordance with applicable ASTM standards
2. Soil classification symbols are in accordance with Unified soil classification system, based on testing indicated and visual identification.
3. Visual identification of samples is in accordance with the system used by the firm.
4. Key to abbreviation: LL = Liquid Limit; PL = Plastic Limit; PI = Plasticity Index; NP = Nonplastic

U.S. Standard Sieve Nos.



| | | |
|--------|------|--------------|
| GRAVEL | SAND | SILT OR CLAY |
|--------|------|--------------|

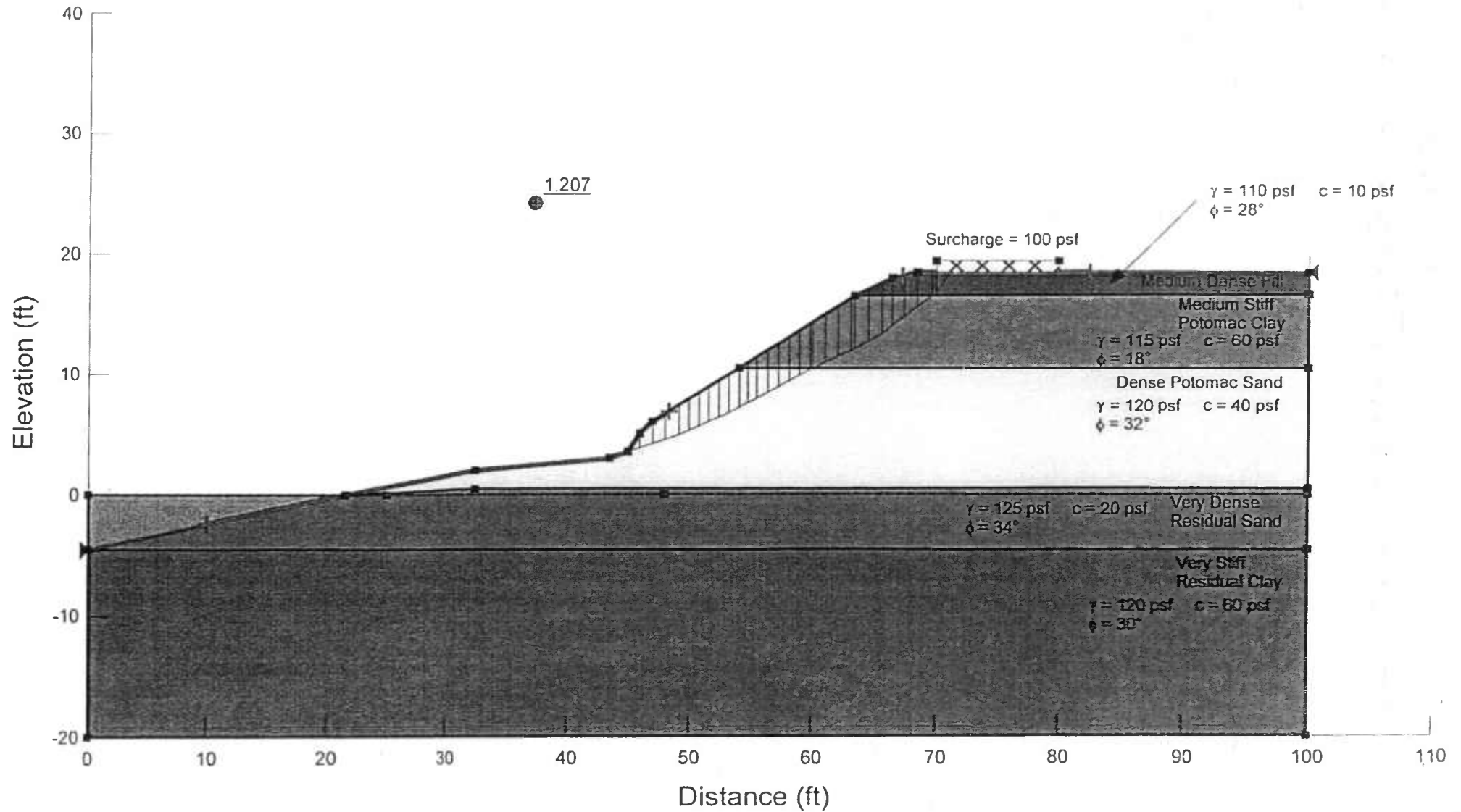
| Key | Sample | Depth(ft.) | Sample Description | Class. | LL | PI |  Schnabel Engineering North, LLC GRADATION CURVES |
|-----|--------|------------|--|--------|----|----------------|---|
| ■ | B-1 | 5.0-6.5 | LEAN CLAY, with sand, gray | CL | 39 | 26 | |
| ▲ | B-1 | 18.5-20.0 | Silty SAND, trace rock fragments, gray-brown | SM | 41 | 13 | Project: North East Isles |
| ● | B-3 | 18.5-20.0 | Clayey SAND, white | SC | 36 | 14 | Contract No. 07140030.00 |
| | | | | | | Date: 07/10/07 | Method: ASTM D422 |

**North East Isles
Contract No. 07140030.00**

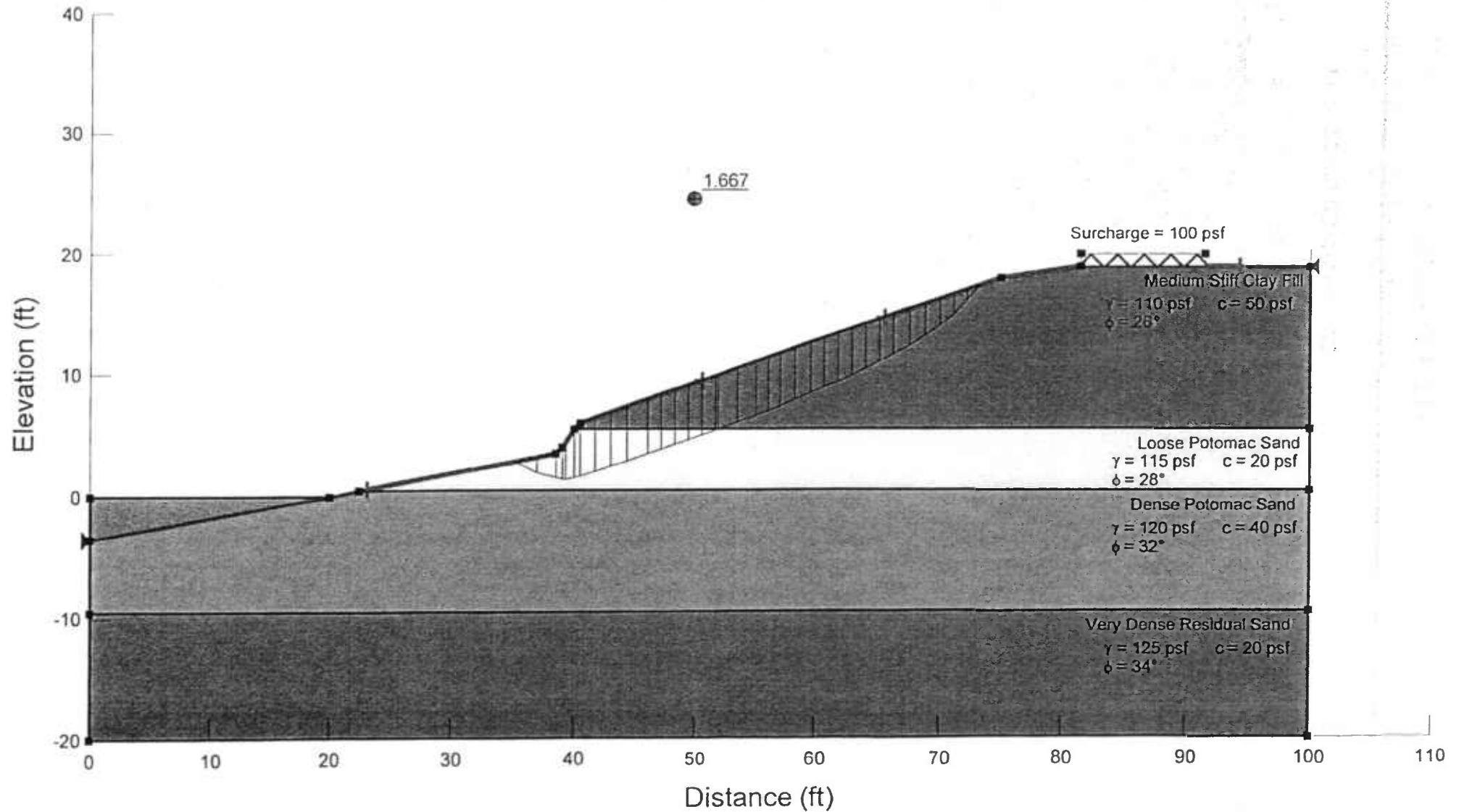
ENCLOSURE NO. 2

**SLOPE STABILITY ANALYSES
Cross Sections (3 sheets)**

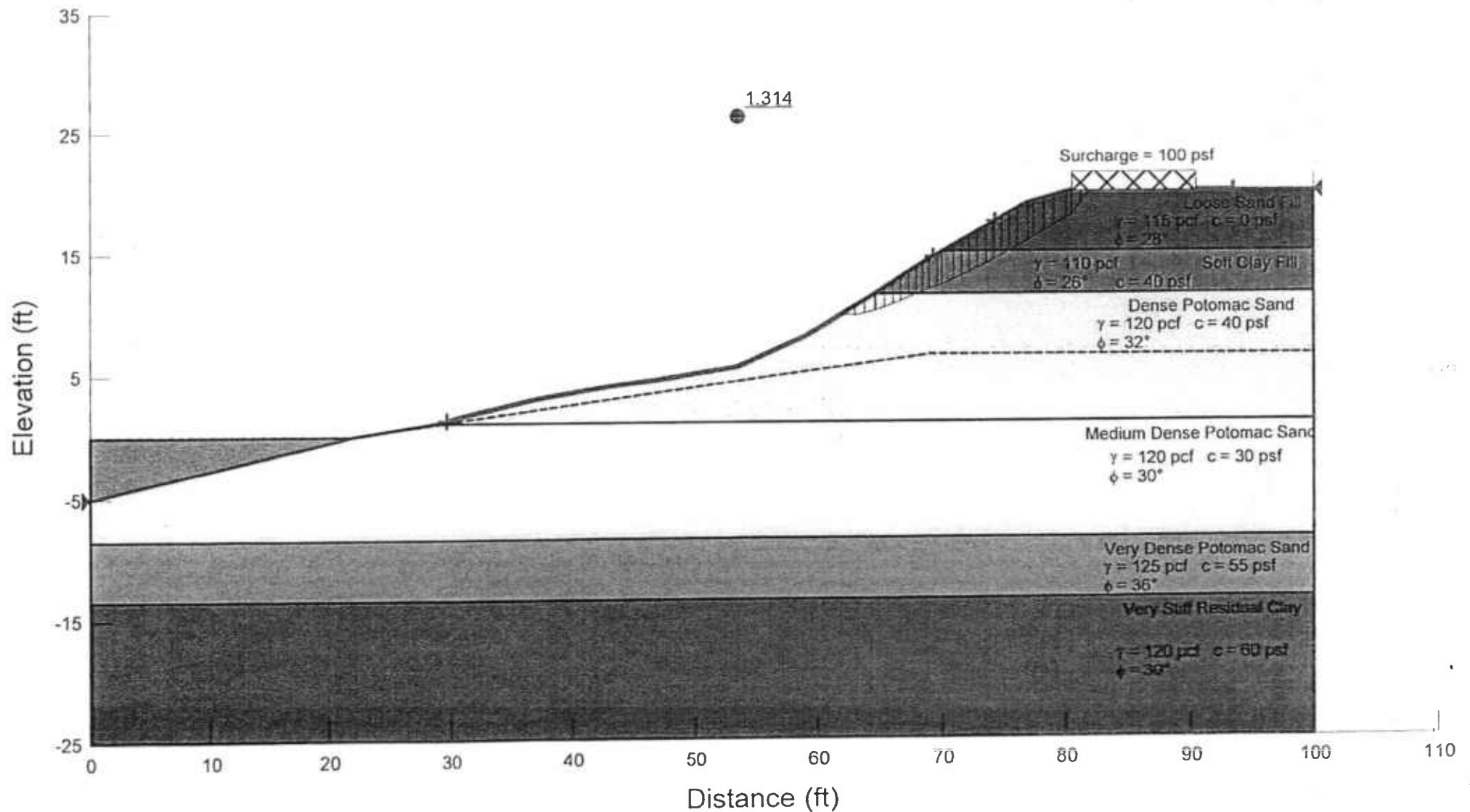
North East Isles
Test Boring B-1



North East Isles
Test Boring B-2



North East Isles
Test Boring B-3



**North East Isles
Contract No. 07140030.00**

ENCLOSURE NO. 3

SUBSURFACE EXPLORATION DATA

Subsurface Investigation Procedures

General Notes for Test Borings Logs

Test Boring Logs (3)

Test Boring Location Plan, Figure No. 1

SUBSURFACE INVESTIGATION PROCEDURES

1. Test Borings

The borings are advanced by turning an auger with a center opening of 2-1/2 inch. Cuttings are brought to the surface by the auger flights. Sampling is performed through the center opening in the hollow stem auger, by standard methods. No water was added to the augers using this method.

2. Standard Penetration Test

Testing is performed by driving a 2-inch O.D., 1-3/8 inch I.D. sampling spoon through three, 6-inch intervals or as indicated, using an automatically tripped 140 pound hammer falling 30 inches, according to ASTM D-1586. After an initial set of 6-inches to assure the sampler is in undisturbed material, the number of blows required to drive the sampler an additional 12-inches is generally taken as the N value. The sampling operation is terminated after 18-inches of penetration or a total of 100 hammer blows, and the depth of penetration is recorded.


3. Boring Locations and Grades


The test boring locations were field staked by Schnabel Engineering. The boring locations shown on the enclosed plan were estimated based on our observations of site features and contours. Boring elevations were selected from the contours and boring locations as shown on the enclosed plan.

GENERAL NOTES FOR TEST BORING LOGS

1. NUMBERS IN THE SAMPLING DATA COLUMN (3+6+27) INDICATE BLOWS REQUIRED TO DRIVE A 2 INCH O.D., 1-3/8 INCH I.D. SAMPLING SPOON 6 INCHES, USING A 140 POUND HAMMER, FALLING 30 INCHES, ACCORDING TO ASTM D-1586.
2. VISUAL CLASSIFICATION OF SOIL IS IN ACCORDANCE WITH TERMINOLOGY SET FORTH IN "IDENTIFICATION OF SOIL". THE UNIFIED SOIL CLASSIFICATION SYMBOLS SHOWN IN THE CLASSIFICATION COLUMN ARE BASED ON VISUAL INSPECTION AND AVAILABLE LABORATORY DATA, IN ACCORDANCE WITH ASTM D-2487.
3. WATER LEVEL READINGS WHICH WERE OBTAINED IN THE BORINGS DURING AND AFTER COMPLETION ARE NOTED ON THE BORING LOGS. FLUCTUATION IN THE LOCATION OF THE WATER TABLE SHOULD BE ANTICIPATED, DEPENDING UPON VARIATIONS IN PRECIPITATION, SURFACE RUNOFF, SITE TOPOGRAPHY, AND SIMILAR FACTORS.
4. REFUSAL AT THE SURFACE OF ROCK, BOULDER, OR OBSTRUCTION IS DEFINED AS A PENETRATION RESISTANCE OF 100 BLOWS FOR 2 INCHES PENETRATION OR LESS.
5. THE BORING LOGS AND RELATED INFORMATION DEPICT SUBSURFACE CONDITIONS ONLY AT THE SPECIFIC LOCATIONS AND TIMES INDICATED. SUBSURFACE CONDITIONS, INCLUDING THE MATERIAL PROPERTIES OF SOIL (AND ROCK), AND WATER LEVELS AT OTHER LOCATIONS MAY DIFFER FROM CONDITIONS AS REPORTED ON THE LOGS WITH THE PASSAGE OF TIME.
6. THE STRATIFICATION LINES REPRESENT THE APPROXIMATE BOUNDARY BETWEEN SOIL AND ROCK TYPES AS DETERMINED FROM THE DRILLING AND SAMPLING OPERATION. SOME VARIATION MAY ALSO BE EXPECTED VERTICALLY BETWEEN SAMPLES TAKEN. THE SOIL PROFILE, WATER LEVEL OBSERVATIONS, AND PENETRATION RESISTANCES PRESENTED ON THESE BORING LOGS HAVE BEEN MADE WITH REASONABLE CARE AND ACCURACY AND MUST BE CONSIDERED ONLY AS AN APPROXIMATE REPRESENTATION OF SUBSURFACE CONDITIONS TO BE ENCOUNTERED AT THE PARTICULAR LOCATION.
7. TOPSOIL DEPTHS SHOWN BY THE BORING LOGS DO NOT NECESSARILY INDICATE THE STRIPPING DEPTHS NEEDED TO PROVIDE A FIRM BASE FOR FILLING.
9. KEY TO SYMBOLS AND ABBREVIATIONS:

 3+6+27 STANDARD PENETRATION TEST, ASTM D1586 DESIGNATION

 TS 2" OR 3" UNDISTURBED TUBE SAMPLE, ASTM D-1587 (LENGTH SAMPLED INCHES/SAMPLE RECOVERED INCHES)

 REC RQD NQ2, NX OR 2 INCH RUN, ASTM D-2113 (RECOVERY AND O.D. ROCK CORE RQD AS SHOWN)

DO = DITTO

RQD = ROCK QUALITY DESIGNATION

REC = RECOVERY (%) (LENGTH RECOVERED/LENGTH SAMPLED)

W = NATURAL MOISTURE CONTENT (%)

* = NO SAMPLE RECOVERY



SCHNABEL ENGINEERING NORTH, LLC
1504 WOODLAWN DRIVE
BALTIMORE, MARYLAND 21207
(410) 944-6170
(410) 944-1162 FAX

GENERAL NOTES FOR
TEST BORING LOGS



Project: North East Isles
North East, Maryland

Boring Number: **B-1**
Contract Number: 07140030.00
Sheet: 1 of 1

TEST BORING LOG

Boring Contractor: Connelly and Associates
Boring Foreman: Sam Lind
Drilling Method: 2-1/4" Hollow Stem Auger
Drilling Equipment: CME 65 Automatic Hammer
SE Representative: B. Billiet
Dates Started: 6/25/07 Finished: 6/25/07
Location: STA 3+76

Groundwater Observations

| | Date | Time | Depth | Casing | Caved |
|-------------------|------|-------|-------|--------|-------|
| Encountered | 6/25 | 10:05 | 25.0' | 23.5' | — |
| Completion | 8/25 | 10:40 | 11.0' | 38.5' | — |
| Casing Pulled | 6/25 | 11:05 | Dry | — | 5.0' |
| Long Term Reading | 8/25 | 2:30 | Dry | — | 5.0' |
| | | | | | |
| | | | | | |

Ground Surface Elevation: 19.0± (feet)

| DEPTH (ft) | STRATA DESCRIPTION | CLASS. | ELEV. (ft) | STRATUM | SAMPLING | | REC (in) | TESTS | REMARKS |
|---------------|---|--------|---------------|---------|-----------|------|-------------|--|--------------------|
| | | | | | DEPTH | DATA | | | |
| 0.4 | Gravel=4-Inches | | 18.8 | A | 7+3+4 | | 14 | | Fill |
| 2.5 | Sandy Silt FILL, with gravel, moist, multicolored, mottled | CL | 16.5 | | 3+3+4 | | 18 | W=21.7% PP=2.5tsf | Potomac Group |
| | LEAN CLAY, with sand, moist, light gray Do: trace sand below 5-feet | | | | 2+4+4 | | 18 | W=19.9% LL=39 PL=13 PP=1.5tsf | |
| 8.5 | Sandy SILT, trace gravel, moist, gray and orange | ML | 10.5 | B | 9+9+12 | | 18 | W=10.6% | Residual |
| 13.5 | SILT, with sand, moist, gray and orange | ML | 5.5 | | 5+10+11 | | 18 | W=17.0% | |
| 18.5 | Silty SAND, trace gravel, moist, green, orange and gray | SM | 0.5 | | 8+12+18 | | 18 | W=14.3% LL=41 PL=28 | |
| 23.5 | LEAN CLAY, with sand, wet, orange and tan | CL | -4.5 | C | 13+12+10 | | 18 | | Disintegrated Rock |
| 28.5 | ELASTIC SILT, with mica, moist, brown and green Do: no mica, greenish-gray below 33.5-feet | MH | -9.5 | | 3+5+7 | | 18 | | |
| 38.5 | DISINTEGRATED ROCK, moist, gray-green | | -19.5 | | 8+11+12 | | 18 | | |
| 40.0 | BOTTOM OF BORING @ 40.0 FT. | | -21.0 | D | 22+100/5" | | 11 | | |

TEST BORING LOG W/RECOVERY 07140030.00.GPJ SCHNABEL.GDT 7/23/07

Comments:



Project: North East Isles
North East, Maryland

Boring Number: B-2
Contract Number: 07140030.00
Sheet: 1 of 1

TEST BORING LOG

Boring Contractor: Connelly and Associates
Boring Foreman: Sam Lind
Drilling Method: 2-1/4" Hollow Stem Auger
Drilling Equipment: CME 65 Automatic Hammer
SE Representative: B. Billet
Dates Started: 6/25/07 Finished: 6/25/07
Location: STA 3+05

Groundwater Observations

| | Date | Time | Depth | Casing | Caved |
|-------------------|------|-------|-------|--------|-------|
| Encountered | 6/25 | 11:50 | 21.0' | 18.5' | --- |
| Completion | 6/25 | 12:10 | 16.0' | 38.5' | --- |
| Casing Pulled | 6/25 | 12:30 | Dry | --- | 5.0' |
| Long Term Reading | 6/25 | 2:30 | Dry | --- | 5.0' |
| | | | | | |
| | | | | | |

Ground Surface Elevation: 19.0± (feet)

| DEPTH (ft) | STRATA DESCRIPTION | CLASS. | ELEV. (ft) | STRATUM | SAMPLING DEPTH | DATA | REC (in) | TESTS | REMARKS |
|------------|---|--------|------------|---------|----------------|------|----------|---------|--|
| 0.4 | Gravel=4-Inchas | | 18.6 | A | 6+4+3 | | 10 | | Fill |
| 2.5 | Sandy Lean Clay FILL, moist, multicolored, mottled | | 16.5 | | 3+2+3 | | 18 | W=19.7% | Organic odor from 2.5 to 10-feet |
| 5.0 | Sandy Silt FILL, with organics and root hairs, moist, black | | 14.0 | | 2+1+2 | | 18 | | |
| | Sandy Lean Clay FILL, with organics and root hairs, moist, black and gray | | | | 2+3+3 | | 6 | W=24.6% | Potomac Group 4-inch SILT layer encountered at 14.5-feet |
| | Do: wet below 8.5-feet | | | | | | | | |
| 13.5 | Poorly Graded SAND, trace silt, wet, tan | SP | 5.5 | B | 3+4+2 | | 16 | | |
| 18.5 | Silty SAND, with gravel, moist, tan and white | SM | 0.5 | | 4+6+9 | | 18 | | Residual |
| | Do: red and tan below 23.5-feet | | | | 4+10+18 | | 18 | | |
| 28.5 | SILT, with sand, trace rock fragments, moist, orange and greenish-gray | ML | -9.5 | | 12+30+35 | | 18 | | |
| | Do: blue-gray below 33.5-feet | | | C | 8+10+12 | | 18 | | |
| | Do: no sand, dry below 38.5-feet | | | | 18+23+33 | | 18 | | |
| 40.0 | BOTTOM OF BORING @ 40.0 FT. | | -21.0 | | | | | | |

TEST BORING LOG W/RECOVERY 07140030.00 GP1 SCHNABEL GDI 7/23/07

Comments:



Project: North East Isles
North East, Maryland

Boring Number: **B-3**
Contract Number: 07140030.00
Sheet: 1 of 1

TEST BORING LOG

Boring Contractor: Connelly and Associates
Boring Foreman: Sam Lind
Drilling Method: 2-1/4" Hollow Stem Auger
Drilling Equipment: CME 65 Automatic Hammer
SE Representative: B. Billiet
Dates Started: 6/25/07 Finished: 6/25/07
Location: STA 2+58
Ground Surface Elevation: 20.0± (feet)

Groundwater Observations

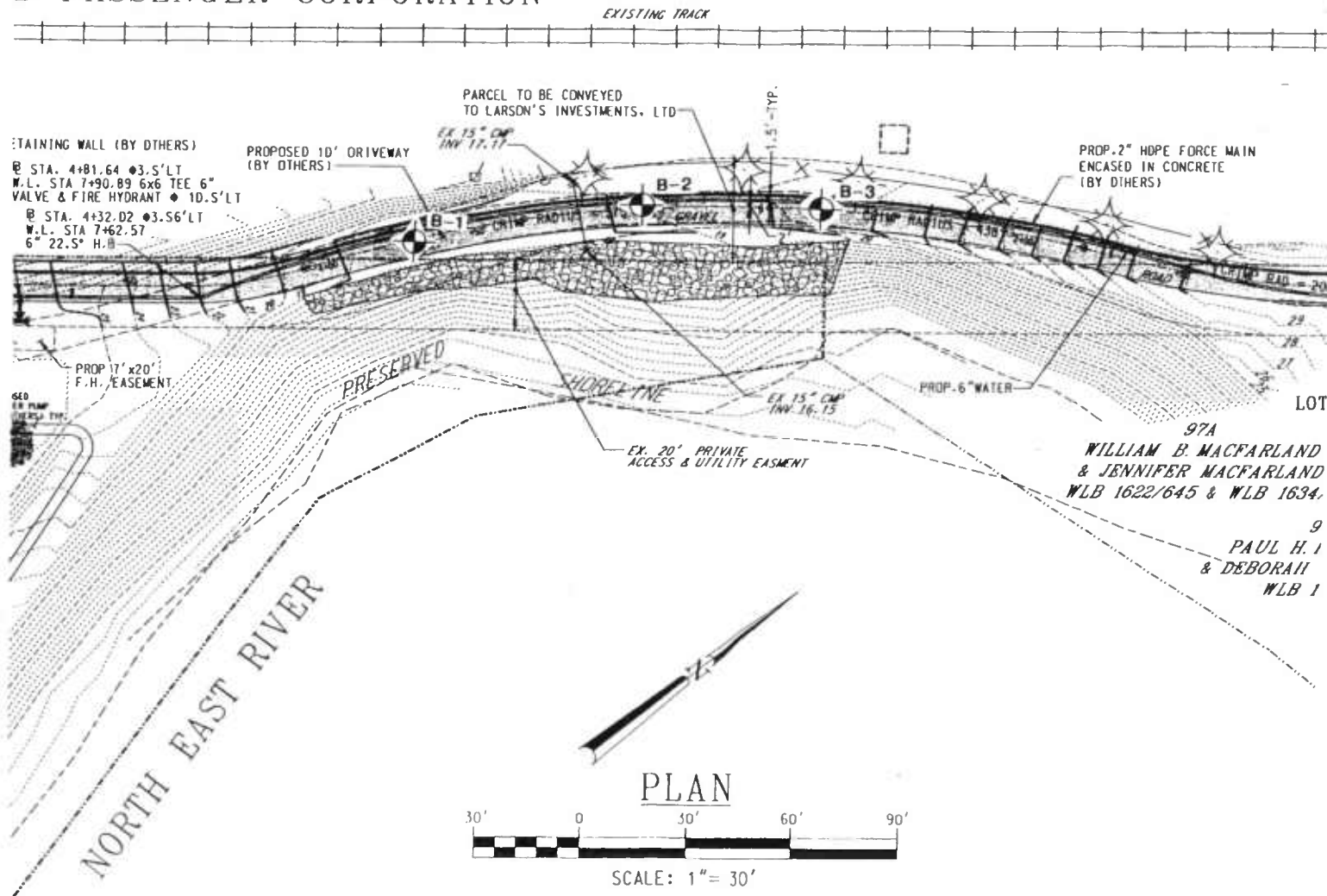
| | Date | Time | Depth | Casing | Caved |
|---------------|------|------|-------|--------|-------|
| Encountered | 6/25 | 1:15 | 13.5' | 13.5' | — |
| Completion | 6/25 | 1:18 | 23.5' | 38.5' | — |
| Casing Pulled | 6/25 | — | Dry | — | 5.0' |
| | | | | | |
| | | | | | |
| | | | | | |

| DEPTH (ft) | STRATA DESCRIPTION | CLASS. | ELEV. (ft) | STRATUM | SAMPLING DEPTH DATA | REC (in) | TESTS | REMARKS |
|--------------|--|----------|----------------|---------|---------------------------|----------------|---------------------------|---------------|
| 0.4 | Gravel=4-inches Silty Sand FILL, with gravel, dry, dark gray | | 19.8 | | | | | Fill |
| 5.0 | Lean Clay FILL, with organics and root hairs, moist, black | | 15.0 | A | 3+2+1 WOH+1+2 | 0 14 | | |
| 9.8 | Do: no organics, trace root hairs, moist, dark gray below 8.5-feet Poorly Graded SAND, with gravel, dry, orange | SP | 10.2 | | 4+10+11 6+10+12 | 18 0 | W=29.1% | Potomac Group |
| 19.0 | Do: wet below 18.5-feet CLAYEY SAND, moist, white Do: orange and white below 23.5-feet Do: orange below 28.5-feet | SC | 1.0 | B | 2+3+4 4+4+6 3+27+35 | 18 18 18 | W=24.2% LL=36 PL=22 | |
| 33.5 34.3 | Clayey SAND, with rock fragments, trace ironite, moist, orange FAT CLAY, moist, light green and white | SC CH | -13.5 -14.3 | | 8+8+8 | 18 | | Residual |
| 38.5 40.0 | ELASTIC SILT, moist, dark greenish-gray BOTTOM OF BORING @ 40.0 FT. | MH | -18.5 -20.0 | C | 5+9+11 | 15 | | |

TEST BORING LOG W/ RECOVERY 07140030.00.GPJ SCHNABEL.GDT 7/23/07

Comments:

D PASSENGER CORPORATION



LEGEND



- APPROXIMATE BORING LOCATION

REFERENCE: Frederick Ward provided the base plan for this drawing.



NORTH EAST ISLES,
NORTH EAST, MARYLAND

TEST BORING
LOCATION PLAN
PROJECT NO. 07140030.00
FIGURE 1

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JUL 27 - 90 FRI 13149

P. 02

MARYLAND DEPT. OF STATE PLANNING
UPPER EASTERN SHORE REGIONAL OFFICE
8-16-90William Donald Schaefer
Governor

Maryland Department of Natural Resources

Water Resources Administration

Towers State Office Building
Annapolis, Maryland 21401

July 27, 1990

Torrey C. Brown, M.D.
SecretaryCatherine P. Stevenson
DirectorMr. Woody Francis
U.S. Army Corps of Engineers
Baltimore District
Post Office Box 1715
Baltimore, MD 21203-1715

Re: CENABOP-RS (Augustine Properties, Inc.) 90-1360-1

Dear Mr. Francis:

Reference is made to previous correspondence from this office dated April 6, 1990 on the referenced application. The applicant proposes to fill tidal and nontidal wetlands, construct stormwater outfalls, and stabilize a streambed in conducting infrastructural requirements for the Northeast Isles Subdivision. The activities are proposed at six sites within the project area which is located adjacent to the Northeast River and Stoney Run in Cecil County.

As you are aware, the Department's major concern relates to the project's potential impact on a State listed threatened species, the Maryland Bur-marigold (Bidens bidentoides). The plant species is located in the tidal wetland areas at the base of the steep slopes which line the waterfront portions of the site.

In a letter dated March 8, 1990 to Mr. Robert Jones of FWA Environmental Science, Inc., the applicant's consultant, the Maryland Natural Heritage Program recommended that no clearing should occur within 100 feet of the top of the steep slopes along lots 1-27 to aid in ensuring the long-term persistence of the Bidens colony. Due to the proximity of the locally approved lot lines to the top of the steep slopes, incorporation of this recommendation into the design plans would result in the necessity to re-record the subdivision plat.

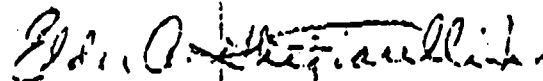
In an attempt to resolve this issue, State representatives met on site with the applicant on July 16. The purpose of the meeting was to explore any alternatives which may exist for incorporating an appropriate setback or buffer from the top of the steep slopes. Because lots 1-12 consist of single-family residences, maintaining an effective buffer of approximately 100 feet should not be a problem on these lots. However, lots 13-27 are much smaller and will consist of townhouse development. The proximity of these smaller lots to the steep slope areas does not allow for an effective buffer. To achieve a minimal setback, the applicant has agreed to apply to the Town of North East for a variance to allow encroachment into the required setback from the front property lines.

A second issue relating to the potential impact to the Maryland Bur-marigold, concerns Site 1 as depicted in the public notice. The activities proposed include a retaining wall and the filling of approximately 487 square feet of tidal wetlands for the construction of an access road to lots 98, 99 and 100. These activities require approval from the Tidal Wetlands Division of this Administration which would necessitate amending the existing wetlands license approved in June, 1988. The shoreline in proximity to Site 1 was not included in the State's initial survey for the Bur-marigold. Accordingly, the State's decision on this roadway fill must await a new survey which will be conducted in early October. This delay is necessary since October is the only time of the year that the species can be properly identified.

In summary, this letter shall serve as official notification to your Office that the State concurs with the applicant's certification that the proposed activities at Sites 2-6 comply with, and will be carried out in a manner consistent with the Maryland Coastal Zone Management Program. This concurrence does not apply to the activities proposed at Site 1. As noted above, the decision on the proposed filling of tidal wetlands at this site is being withheld pending the results of the upcoming survey for the Maryland Bur-marigold.

If you have any questions, please contact me at 974-2156.

Sincerely,



Elder A. Chigiarelli, Jr.
Chief, Federal Consistency Review
Wetlands and Waterways Program

EAGJr:mw

cc: Diana Reynolds, WRA/Tidal Wetlands Division
Dr. Wayne Tyndall, Natural Heritage Program

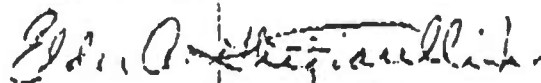
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Sincerely,



Elder A. Ghigiarelli, Jr.
Chief, Federal Consistency Review
Wetlands and Waterways Program

EAGJr:mw

cc: Diana Reynolds, WRA/Tidal Wetlands Division
Dr. Wayne Tyndall, Natural Heritage Program

DEPARTMENT OF THE ARMY PERMIT

Application Name and Permit Number: CENAB-OP-RS(AUGUSTINE PROPERTIES, INC.)90-1360-1

Issuing Office:

U.S. Army Engineer District, Baltimore
Corps of Engineers
P.O. Box 1715
Baltimore, MD 21203

NOTE: The term "you" and its derivatives, as used in this permit, means the permittee or any future transferee. The term "this office" refers to the appropriate district or division office of the Corps of Engineers having jurisdiction over the permitted activity or the appropriate official of that office acting under the authority of the commanding officer.

You are authorized to perform work in accordance with the terms and conditions specified below.

Project Description:

To construct the Northeast Inlet Subdivision consisting of the following work: Site #2 - to construct a stormwater drainage channel approximately 19 feet wide by 42 feet long which will be lined with approximately 22.5 cubic yards of 3-4 inch stone riprap; to construct a 15-foot wide by 45-foot long concrete boat ramp; Site #3 - to fill approximately 1.1 acres of non-tidal wetlands adjacent to Stoney Run with approximately 5,182 cubic yards of fill material for construction of a roadway approximately 655 feet long by 70 feet wide which will also include fill of an eroded section of old stream bed; to fill approximately 21,2178 square feet of the existing Stoney Run streambed with approximately 1,395 cubic yards of 6-12 inch stone riprap; Site #5 - to fill 3 isolated non-tidal wetland areas (2,696 square feet, 910 square feet, and 368 square feet in size) totalling 3,974 square feet with approximately 294 cubic yards of fill material; Site #6 - to fill an isolated non-tidal wetland area 1,643 square feet in size with approximately 184 cubic yards of fill material; Site #4 - to create approximately 118,856 square feet or 2.7 acres of non-tidal wetlands as mitigation in a previously impacted/degraded area of uplands. All work is to be completed in accordance with the attached plan(s).

Project Location:

In Northeast River and wetlands adjacent to Stoney Run near North East, Cecil County, Maryland

Permit Conditions:

General Conditions:

1. The time limit for completing the work authorized ends on December 31, 1993. If you find that you need more time to complete the authorized activity, submit your request for a time extension to this office for consideration at least one month before the above date is reached.
2. You must maintain the activity authorized by this permit in good condition and in conformance with the terms and conditions of this permit. You are not relieved of this requirement if you abandon the permitted activity, although you may make a good faith transfer to a third party in compliance with General Condition 4 below. Should you wish to cease to maintain the authorized activity or should you desire to abandon it without a good faith transfer, you must obtain a modification of this permit from this office, which may require restoration of the area.

3. If you discover any previously unknown historic or archeological remains while accomplishing the activity authorized by this permit, you must immediately notify this office of what you have found. We will initiate the federal and state coordination required to determine if the remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.

4. If you sell the property associated with this permit, you must obtain the signature of the new owner in the space provided and forward a copy of the permit to this office to validate the transfer of this authorization.

5. If a conditioned water quality certification has been issued for your project, you must comply with conditions specified in the certification as special conditions to this permit. For your convenience, a copy of the certification is attached if it contains such conditions.

6. You must allow representatives from this office to inspect the authorized activity at any time deemed necessary to ensure that it is being or has been accomplished in accordance with the terms and conditions of your permit.

Special Conditions:

a. That all instream work shall be done only in period of June 16 through February 28.

b. All work shall be in compliance with wetlands license 88-WL-0356 issued by the Water Resources Administration, Department of Natural Resources.

c. All work shall be in compliance with the approved Critical Area Program for Northeast, Cecil County, Maryland.

d. That the mitigation concept as contained in the "Wetland Delineation and Mitigation Report" dated July 1989 and revised November 1989 and shown by permit plans, shall be implemented concurrently with project commencement and/or prior to project completion.

e. That there will be no stockpiling of fill material or other disturbances in open water or wetland areas adjacent to the limits of the authorized fill during project construction. Should any area become disturbed, restoration to pre-existing conditions will be required.

f. That fill material authorized by this permit be contained to prevent erosion and filling in adjacent waterways and wetland areas.

g. That all excavated material resulting from muck removal operations be deposited on an approved upland (non-wetland) site.

h. That periodic construction progress reports be provided to this office.

i. That this office be provided with the name of the party that will perform the proposed mitigation/wetland creation.

j. That this office be notified when the mitigation is considered complete.

k. That the work will be performed in accordance with applicable soil erosion and sediment control specifications; that these sediment and erosion control measures be established and implemented prior to project commencement; be maintained in an effective manner throughout project construction; and until stabilization of the proposed fill occurs.

Further Information:

1. Congressional Authorities: You have been authorized to undertake the activity described above pursuant to:

(X) Section 10 of the River and Harbor Act of 1899 (33 U.S.C. 403).

(X) Section 404 of the Clean Water Act (33 U.S.C. 1344).

2. Limits of this authorization.

a. This permit does not obviate the need to obtain other Federal, state, or local authorizations required by law.

b. This permit does not grant any property rights or exclusive privileges.

c. This permit does not authorize any injury to the property or rights of others.

d. This permit does not authorize interference with any existing or proposed Federal projects.

3. Limits of Federal Liability. In issuing this permit, the Federal Government does not assume any liability for the following:

a. Damages to the permitted project or uses thereof as a result of other permitted or unpermitted activities or from natural causes.

b. Damages to the permitted project or uses thereof as a result of current or future activities undertaken by or on behalf of the United States in the public interest.

c. Damages to persons, property, or to other permitted or unpermitted activities or structures caused by the activity authorized by this permit.

d. Design or construction deficiencies associated with the permitted work.

e. Damage claims associated with any future modification, suspension, or revocation of this permit.

4. Reliance on Applicant's Data. The determination of this office that issuance of this permit is not contrary to the public interest was made in reliance on the information you provided.

5. Reevaluation of Permit Decision. This office may reevaluate its decision on this permit at any time the circumstances warrant. Circumstances that could require a reevaluation include, but are not limited to, the following:

a. You fail to comply with the terms and conditions of this permit.

b. The information provided by you in support of your permit application proves to have been false, incomplete, or inaccurate (see 4 above).

c. Significant new information surfaces which this office did not consider in reaching the original public interest decision.

Such a reevaluation may result in a determination that it is appropriate to use the suspension, modification, and revocation procedures contained in 33 CFR 325.7 or enforcement procedures such as those contained in 33 CFR 326.4 and 326.5. The referenced enforcement procedures provide for the issuance of an administrative order requiring you comply with the terms and conditions of your permit and for the initiation of legal action where appropriate. You will be required to pay for any corrective measures ordered by this office, and if you fail to comply with such directive, this office may in certain situations (such as those specified in 33 CFR 209.170) accomplish the corrective measures by contract or otherwise and bill you for the cost.

6. Extensions. General Condition 1 establishes a time limit for the completion of the activity authorized by this permit. Unless there are circumstances requiring either a prompt completion of the authorized activity or a reevaluation of the public interest decision, the Corps will normally give favorable consideration to a request for an extension of this time limit.

Your signature below, as permittee, indicates that you accept and agree to comply with the terms and conditions of this permit.

(PERMITTEE)

(DATE)

This permit becomes effective when the Federal official, designated to act for the Secretary of the Army, has signed below.

Issued for and in behalf of
Colonel Frank R. Finch
District Engineer

Donald W. Roeseke
Donald W. Roeseke
Chief, Regulatory Branch

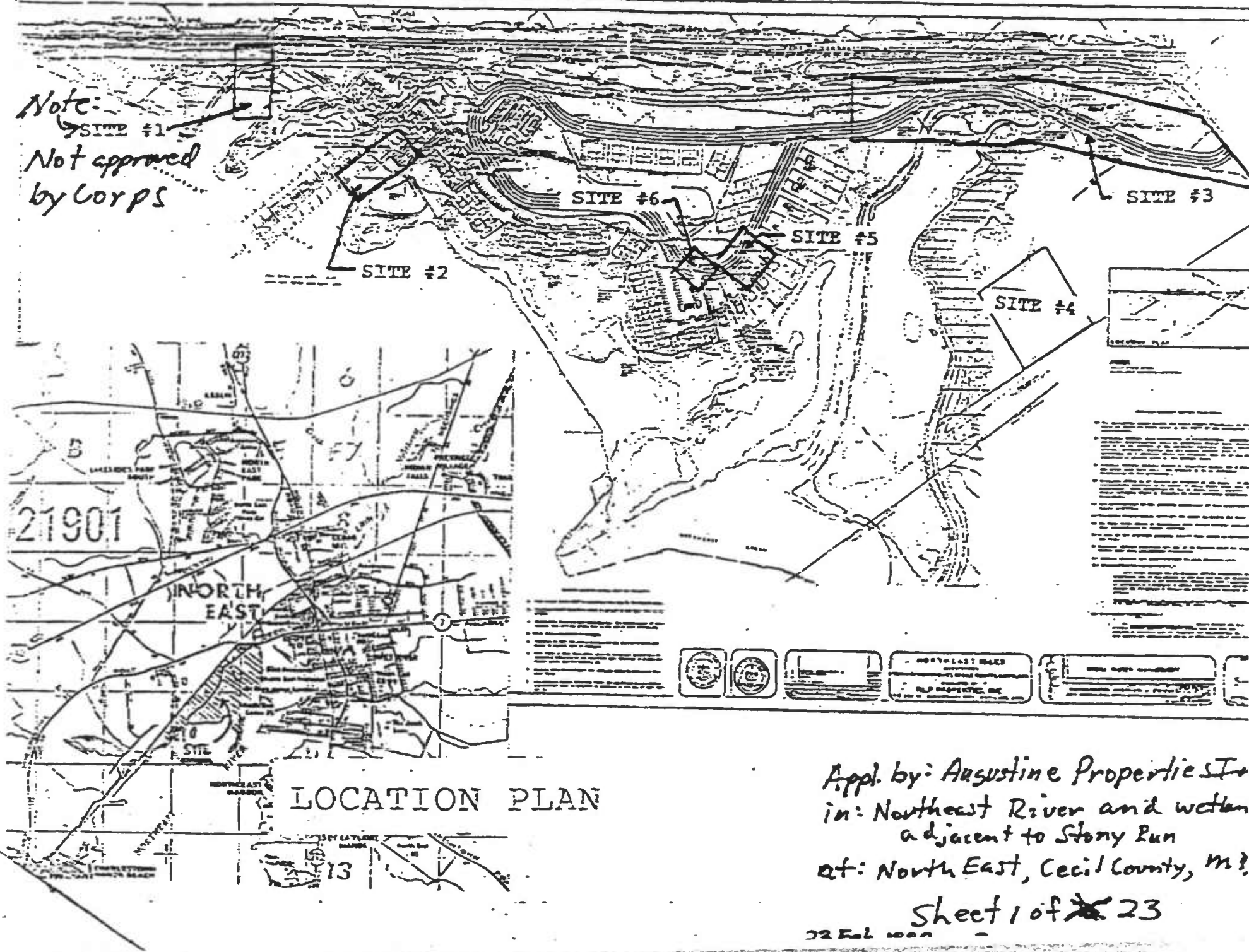
27 Jul 90
Date

When the structures or work authorized by this permit are still in existence at the time the property is transferred, the terms and conditions of this permit will continue to be binding on the new owner(s) of the property. To validate the transfer of this permit and the associated liabilities associated with compliance with its terms and conditions, have the transferee sign and date below.

TRANSFeree

Note:

SITE #1
Not approved
by Corps



LOCATION PLAN

Appl. by: Augustine Properties, Inc.
in: Northeast River and wetland
adjacent to Stony Run
at: North East, Cecil County, Md.

Sheet 1 of 23

22 Feb 1980



MARYLAND DEPARTMENT OF THE ENVIRONMENT
1800 Washington Boulevard • Baltimore MD 21230
410-537-3000 • 1-800-633-6101

Martin O'Malley
Governor

Anthony G. Brown
Lieutenant Governor

**WATER MANAGEMENT ADMINISTRATION
NONTIDAL WETLANDS AND WATERWAYS DIVISION**
Suite 430
Phone # 410-537-3745
Fax # 410-537-3751

Shari T. Wilson
Secretary

Robert M. Summers, Ph.D.
Deputy Secretary

February 20, 2008

Mr. Chuck Schneider
Frederick Ward Associates
P.O. Box 727
5 South Main Street
Bel Air, MD 21014-0727

Application Number: 07-NT-0160/200762272
Project: Larsons Investments/North East Isles/Bldg Structure & Revetment

Dear Mr. Schneider:

The Nontidal Wetlands and Waterways Division (the "Division") has completed its review of the referenced *Joint Federal/State Application for the Alteration of any Floodplain, Waterway, Tidal or Nontidal Wetland in Maryland*. The review was done in accordance with 26.23.04 (Nontidal Wetlands). We are pleased to inform you that your activity, as currently proposed, conditionally qualifies for a Letter of Authorization (LOA). **Please note this letter does not constitute an authorization to proceed with regulated activities.** The conditions of the authorization will be issued with the LOA.

Prior to issuing any authorizations, please submit the following materials.

- 1) Following the "Instructions for Wetland Compensation Fund Payments" that were enclosed in my letter to Mrs. Wilson dated December 18, 2007, please submit the "Nontidal Wetland Compensation Fund Waiver" form and a bank certified check. Confirmation of sufficient payment to the Nontidal Wetlands Compensation Fund will be required. The amount of mitigation required for proposed permanent impacts to 1,283 square feet of forested nontidal wetlands is 2,566 (2:1) square feet of forested nontidal wetlands. The amount of money owed, based on \$53,250 per acre of mitigation required in Cecil County, is \$3,137.



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www.mde.state.md.us

TTY Users 1-800-735-2258
Via Maryland Relay Service

Mr. Chuck Schneider

2/20/2008

Page 2

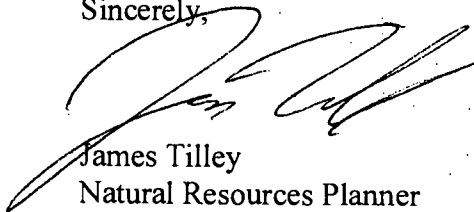
- 2) Please provide approved stormwater management plans or, if plans are not required by Cecil County, provide documentation indicating stormwater management requirements will be satisfied.
- 3) The Tidal Division of the Wetlands and Waterways Program is also reviewing the proposed project. Any comments from the Tidal Division will be sent under separate cover.
- 4) Please note that it is the understanding of the Division that the Town of North East will require the applicant to provide a deed restriction that would preserve the undisturbed area of Lot 100, west of the delineated nontidal wetland, in perpetuity on the record plat. The Division will require copies of these deed restriction documents as a special condition of the LOA. The applicant will be required to provide the Division this documentation within 180 days from the effective date of the LOA.

Please provide two copies of the requested information and reference the application tracking number on all correspondence pertaining to this project. As soon as this information is provided, and it is determined to be sufficient, a Letter of Authorization will be promptly issued that authorizes the activity provided that the conditions noted on the plans and additional conditions and best management practices, which are part of the Letter of Authorization, are met.

If we do not hear from you within 120 days of the date of this letter, it will be assumed that you are no longer pursuing authorization of your project. Processing your application will be suspended, and the application will be returned to you and considered to be withdrawn. If you then wish to pursue authorization for your project, it will be necessary to submit a new joint State/Federal application to the Regulatory Services Coordination Office. The application will receive a new tracking number, and will be evaluated based on the regulations and policies in effect on the new receipt date.

If you have any questions regarding the above comments, please contact me at (410) 537-3788 or by e-mail at jtilley@mde.state.md.us.

Sincerely,



James Tilley
Natural Resources Planner
Nontidal Wetlands and Waterways Division

Cc: Larson's Investments, LTD
Ms. Mary Ann Skilling (Maryland Department of Planning)
Ms. Betsy Vennell (Town of North East)
Mr. Reggie Graves (MDE)



MARYLAND DEPARTMENT OF THE ENVIRONMENT
1800 Washington Boulevard • Baltimore MD 21230
410-537-3000 • 1-800-633-6101

Robert L. Ehrlich, Jr.
Governor

Kendall P. Philbrick
Secretary

Michael S. Steele
Lt. Governor

Jonas A. Jacobson
Deputy Secretary

GENERAL TIDAL WETLANDS LICENSE

06-GL-1343

Larson's Investments, LTD.
C/o Lee Larson
P.O. Box 168
Childs, MD 21916

Under the authority of the Board of Public Works of the State of Maryland and in accordance with Title 16, Wetlands and Riparian Rights, Environment Article, Annotated Code of Maryland and COMAR 23.02.04 and COMAR 26.24 and the conditions of this license, the licensee is authorized to perform the following activity:

To emplace 350 feet of riprap revetment within a maximum of 8 feet channelward of the mean high water line as depicted on the attached plans dated April 4, 2006. Project is located on North East River at the southern portion of North East Isles Road, North East in Cecil County.

By applying for and receiving this General License the licensee shall be considered to have knowledge of and to have accepted the special and general conditions of this license. Licensee agrees that all work shall be performed in compliance with these conditions.


This general license is subject to the following conditions:

GENERAL CONDITIONS

- A. The licensee shall obtain an approved sediment and erosion control plan from the local soil conservation district when the area disturbed is greater than 5000 square feet;
- B. The licensee certifies real property interest in the contiguous upland;
- C. This license is valid only for use by the licensee. Permission for transfer of the license shall be obtained from the Maryland Department of the Environment. The terms and conditions of this license shall be binding on any assignee or successor in interest of the licensee;
- D. The licensee acknowledges that this license does not transfer any property interest in State tidal wetlands. This license allows the licensee to use State tidal wetlands only for the structure or activity authorized herein and in no way limits the use of waters of the State by the public;

- E. This license is void if the licensee fails to obtain all required State, federal, and local approvals before beginning work on the licensed structure or activity;
- F. The licensee shall allow representatives of the Maryland Department of the Environment to enter the property at reasonable times to inspect the ongoing or completed work under the license;
- G. The licensee shall make every reasonable effort to design and construct the structure or perform the activity authorized in this license in a manner which minimizes adverse impacts on natural resource values, including water quality, plants, wildlife, plant and wildlife habitat, and on historic property values;
- H. The licensee shall notify the Water Management Administration, Inspections and Compliance Division at (410) 537-3532 at least 5 days before beginning the activity;
- I. This license expires 3 years after the date of issuance. The licensee shall complete construction of the activity authorized under this license within the allowed 3 years, otherwise a new general license shall be obtained;
- J. The Maryland Department of the Environment may suspend or revoke this license upon written finding for good cause that suspension or revocation is in the State's best interest.

Sincerely,



Richard J. Ayella, Chief
Tidal Wetlands Division

Date of Issuance: April 4, 2006
RAMS Tracking Number: 200662675

**MARYLAND DEPARTMENT OF THE ENVIRONMENT**

1800 Washington Boulevard • Baltimore MD 21230

410-537-3000 • 1-800-633-6101

Robert L. Ehrlich, Jr.
GovernorKendal P. Philbrick
SecretaryMichael S. Steele
Lt. GovernorJonas A. Jacobson
Deputy Secretary

April 4, 2006

Larson's Investments, LTD.
C/o Lee Larson
P.O. Box 168
Childs, MD 21916Re: MDE Authorization Number: 06-GL-1343
RAMS Tracking Number: 200662675

Dear Larson's Investments:

Your application to alter tidal wetlands has been evaluated by the Tidal Wetlands Division. Your State license or permit authorizing work in tidal wetlands is attached. If your project qualifies for federal approval under the Maryland State Programmatic General Permit (MDSPGP), that permit is also attached. If the MDSPGP is not attached, your project does not qualify for federal authorization under this permit and you will hear directly from the Corps of Engineers. You should not begin any work until you have obtained all necessary State, local and federal authorizations.

Please take a moment to read and review your authorizations to insure that you understand the limits of the authorized works and all of the general and special conditions. If you are aggrieved by the Department's decision to authorize this project subject to the conditions set forth in the License, you may petition the circuit court in the county where the land is located within 30 days after receiving this license. Please call me at 410-537-3835 with any questions.

Sincerely,

Richard J. Ayella, Chief
Tidal Wetlands Division

JUL-25-2006 03:33P FROM: LARSONS

4102878267

TO: 4102878267

P. 7/7

REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
BALTIMORE DISTRICT, U.S. ARMY CORPS OF ENGINEERS
P.O. BOX 1718
BALTIMORE, MD 21203-1718

IMPORTANT INFORMATION ABOUT YOUR PROJECT

Date: April 11, 2006

Corps Permit No.: 200662675

MDSPGP-2 Category and Activity No.: I-G2

Permittee/Project Name: Larson Investments LTD

Dear Applicant:

The U. S. Army Corps of Engineers, Baltimore District, has determined that the proposed work meets the terms and conditions of the Maryland State Programmatic General Permit (MDSPGP-2), provided the work is completed in compliance with the enclosed plan(s), the standard MDSPGP-2 conditions, the applicable MDSPGP-2 activity-specific conditions, and special conditions (enclosed, if applicable). This MDSPGP-2 verification is provided pursuant to Section 10 of the Rivers and Harbors Act of 1899 and/or Section 404 of the Clean Water Act. If any of the information contained in your application and/or plans is later found to be in error, the MDSPGP-2 authorization for your project may be modified, suspended, or revoked.

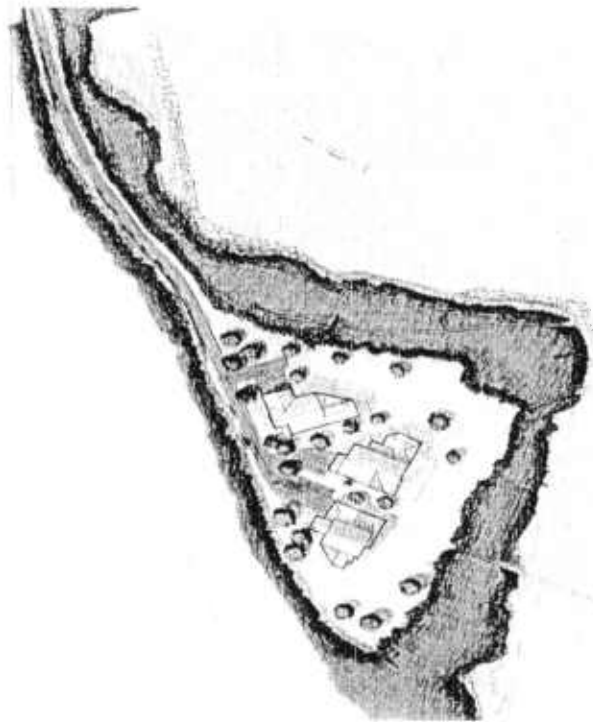
Your MDSPGP-2 authorization is valid for three years from the date of this letter, or until September 30, 2006, whichever is sooner, unless the MDSPGP-2 is modified, reissued, or revoked. If the MDSPGP-2 is modified, reissued, or revoked, your authorization may be valid for less than three years. You must remain informed of the changes to the MDSPGP-2. When changes to the MDSPGP-2 occur, a public notice announcing the changes will be issued. If you have not completed this work before the date that the MDSPGP-2 is modified or revoked, you will have 12 months from the effective date of the modification or revocation to complete the work under the present terms and conditions of this MDSPGP-2.

In order for this authorization to be valid, you must obtain all required Federal, State, and local permits.

Walter Washington, Jr.
Chief, Maryland Section Southern

Janet M. Vine
Chief, Maryland Section Northern

North East Isles
A Waterfront Community by
Parson's Investments



Creating one of lifes ultimate pleasures of owning a single family home on the waterfront with your own private dock. Located at the Head of the Bay on the North East River.

Larson's Investments, Ltd.

P. O. Box 168 Childs, MD 21916
Phone: 410-392-5175
Fax: 410-392-5820
E-Mail: larsontreeservice@comcast.net

Town of North East, Maryland
Ladies and Gentlemen of the Planning Commission
P.O. Box 528
North East, MD 21901

July 30, 2008

Re: Lot 99 North East Isles Drive
North East, MD 21901

To Whom It May Concern:

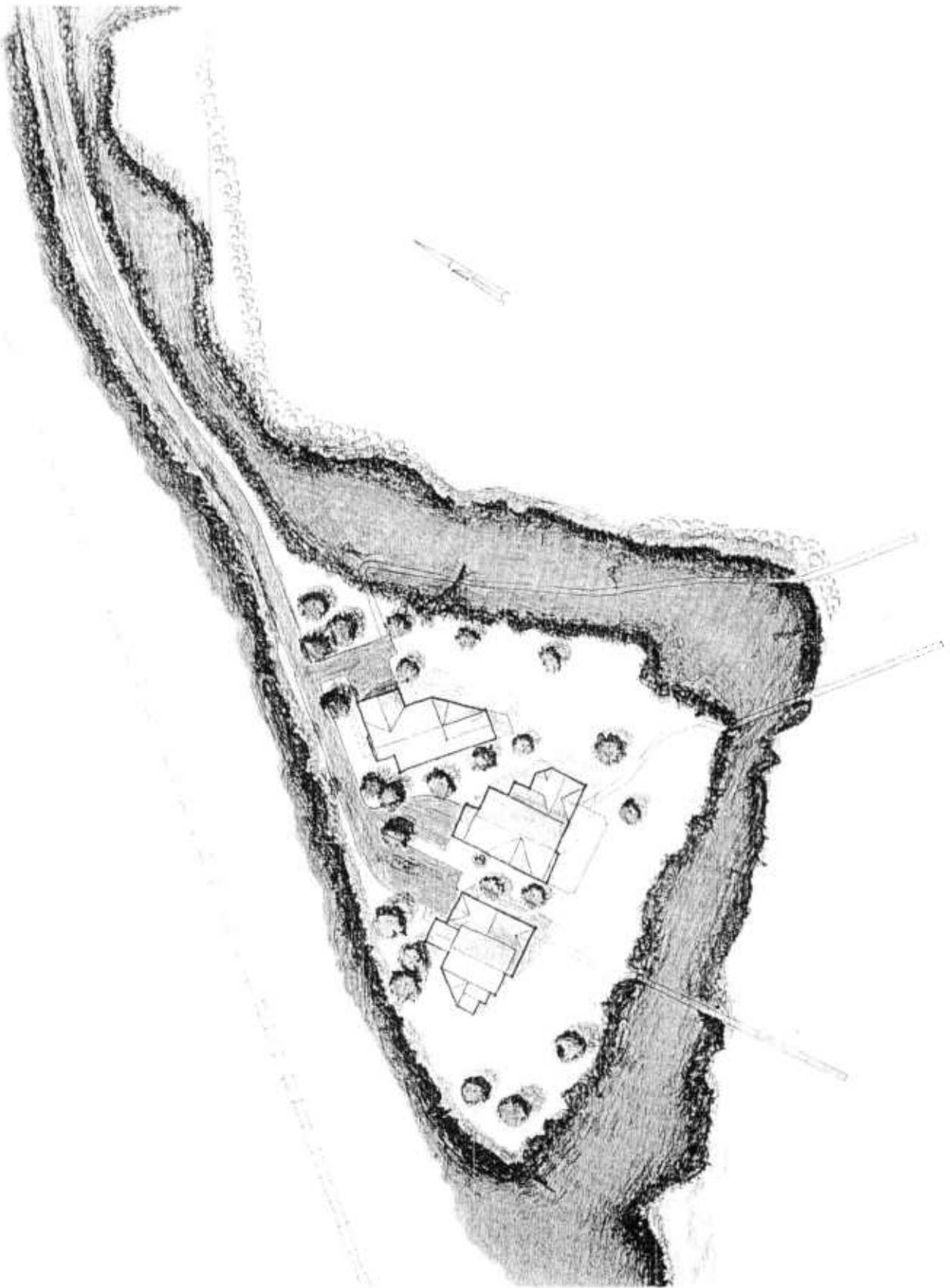
This letter is to inform you of our intended planning designs for Lots 98, 99, and 100 North East Isles Drive. We have filled out the Infill application as required; however, we would like you to consider this project separate from the existing North East Isles Condominiums. Plots from 1988 include these lots as part of the condominiums, but were sold as separate single-family lots. These three lots are separate from North East Isles Condominiums in that they do not share participation in the Home-owners Association, parking facilities, sidewalks, docks, tennis courts, or any other common associations with North East Isles. However, we do recognize the common use of North East Isles Drive to access these lots. I assure you this will have no negative affect on the exterior theme of the NE Isles community; these residences will not visible to any visitors of the community unless they enter a private lane created for traffic of these three lots only. All North East Harbor traffic will see them as a separate project and not part of the NE Isles condominiums. (Please see the attached plot to note the distance from Lot 97 and Lots 98-100.)

Please recognize that the current NE Isles condos were designed over ten years ago and we wish to use an updated more current design for our project. We plan to construct these custom single-family residences to meet the expectations of our future clients. We still plan to use a nautical theme but these residences will have a little more unique look to them due to being custom homes designed to satisfy an investing customer. I'm sure you can understand our future client's want to choose color options and styles for their custom home as this will be an approximate investment of about \$850,000.00.

Please see the attached rendering as a general design for these three lots. We fill that these homes will fit very well in the general local style and compatibility standards of the Town of North East. We feel this will satisfy your requirements and that they will be a very desirable asset, unique to the NE Isles community.

Sincerely,

Lee D. Larson,
President



DRIVEWAYS

PROP 15'x15'
UTILITY ESM'T
(TYP ALL LOTS)

PROP. RETAINING WALL (BY OTHERS)

PROP. METER CROCK
IN 15'x15' ESM'T TYP.

PROPOSED 10' DRIVEWAY
(BY OTHERS)

STA 5+82.00
PROP CAP & BLOW-OFF
SEE DETAIL W-14

PR 2" FORCE MAIN
PR 2" WAT

PROPOSED
GRINDER PUMP
(BY OTHERS) TYP.

PROPOSED
HOUSE

FF=28.50
BSMT=19.5

PROPOSED
HOUSE

FF=28.50
BSMT=17.50

PROPOSED
HOUSE

FF=26.50
BSMT=17.50

LOT 98

LOT 99

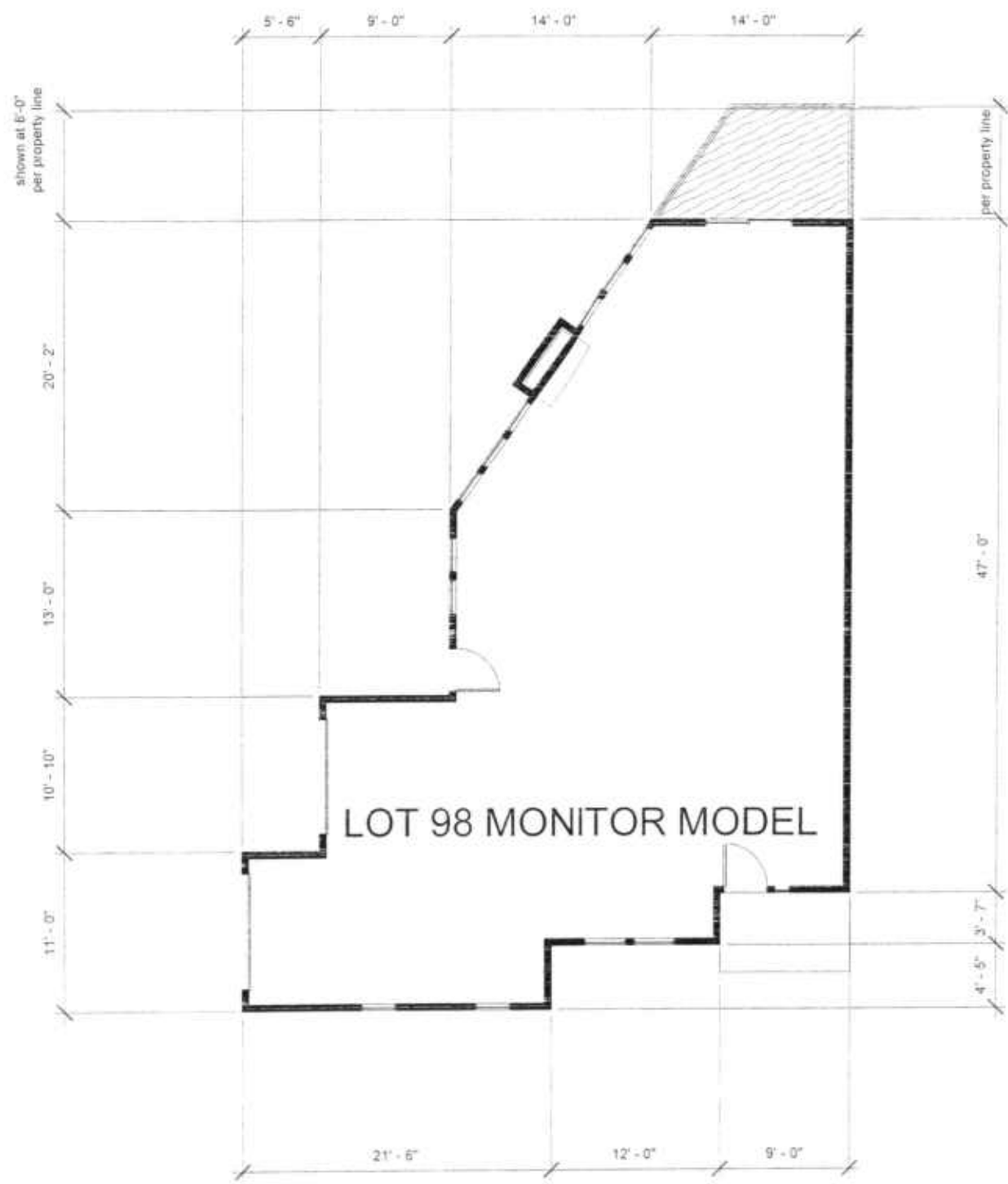
NORTH EAST RIVER

CLINT R. LITHE &

LARSON'S INVESTMENTS, LTD

ITRAK R.O.W.

TS, LTD





FRONT ELEVATION LOT 98 MONITOR MODEL



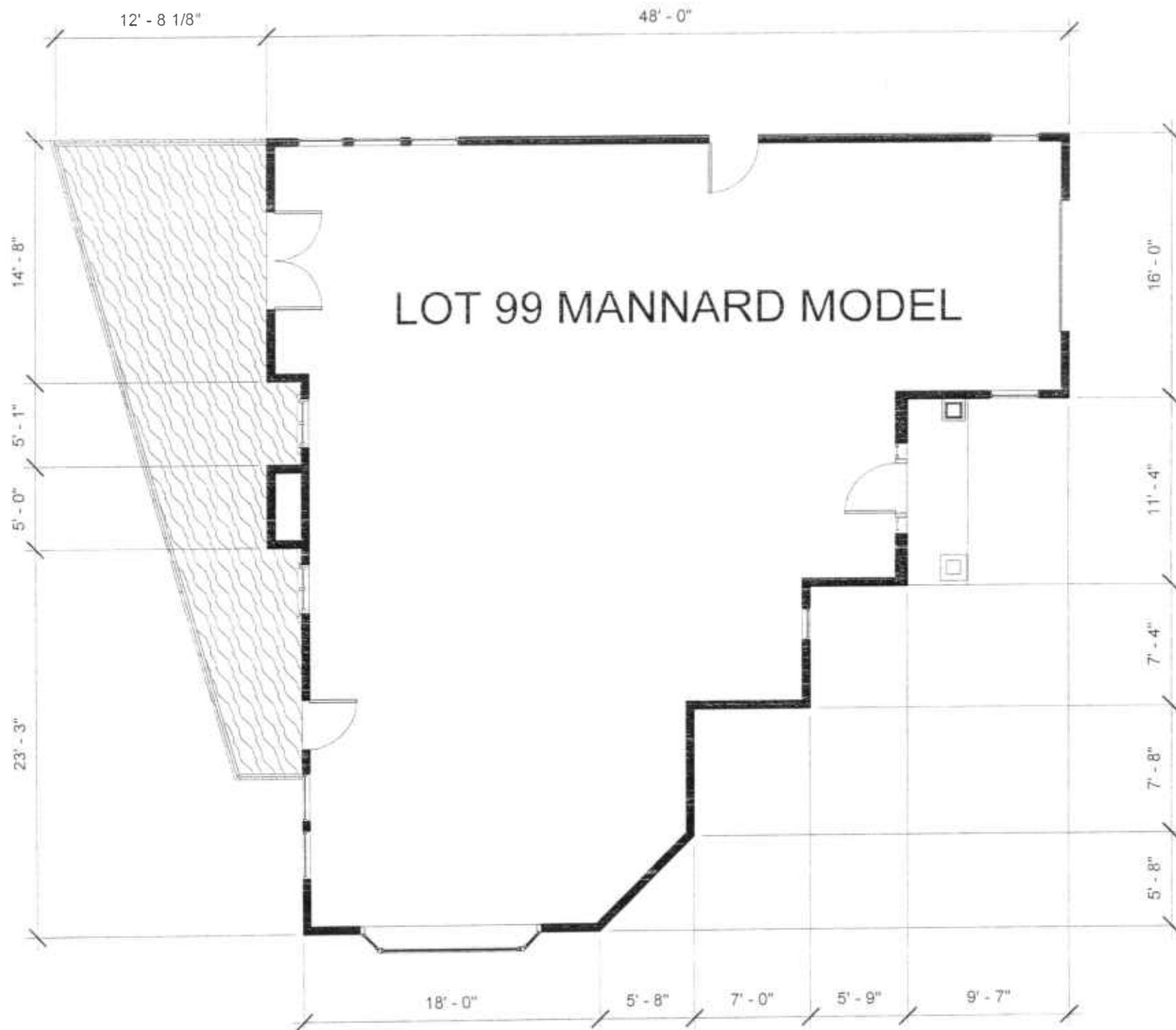
RIGHT ELEVATION LOT 98 MONITOR MODEL



BACK ELEVATION LOT 98 MONITOR MODEL



LEFT ELEVATION LOT 98 MONITOR MODEL





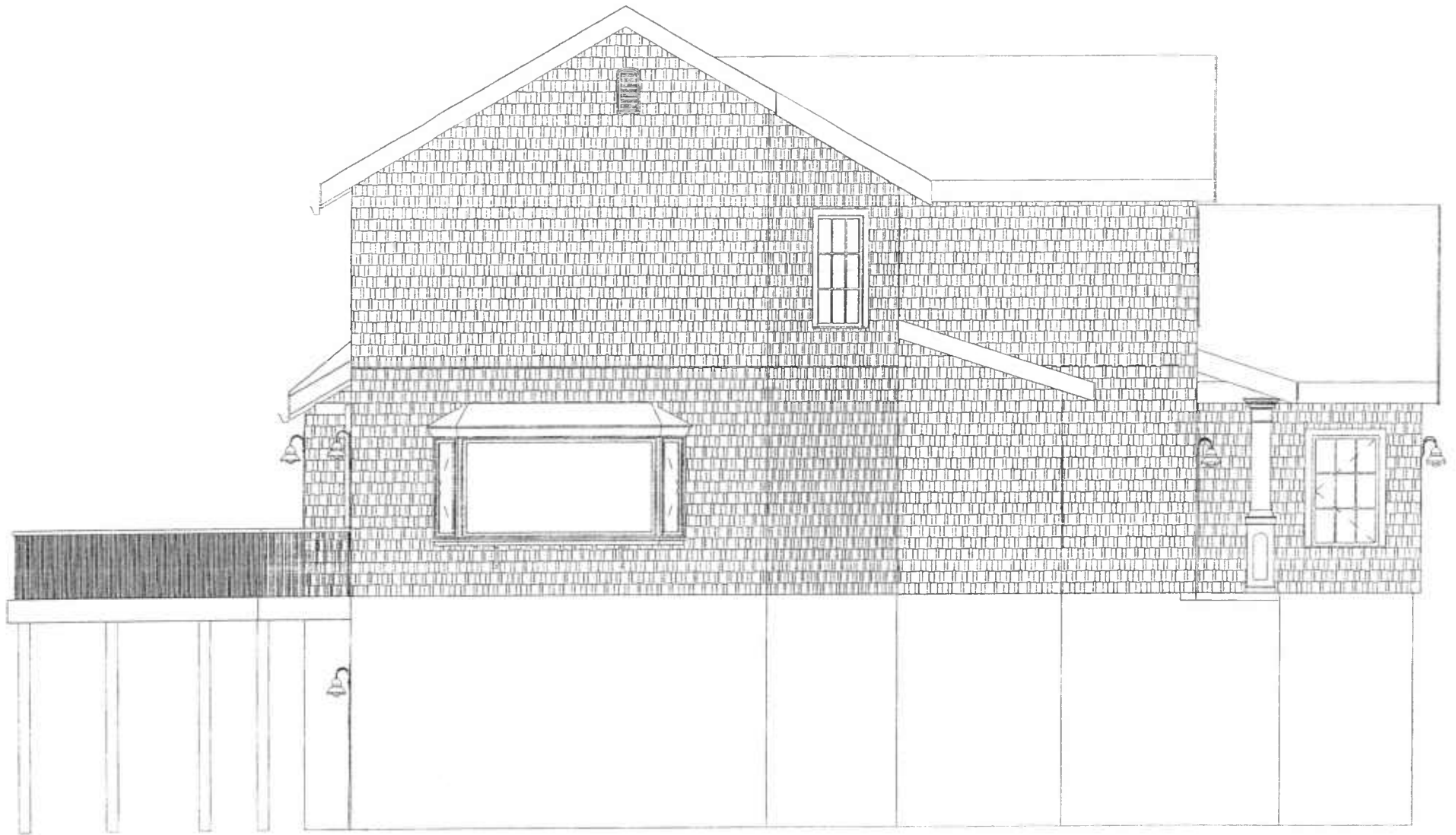
FRONT ELEVATION LOT 99 MANNARD MODEL



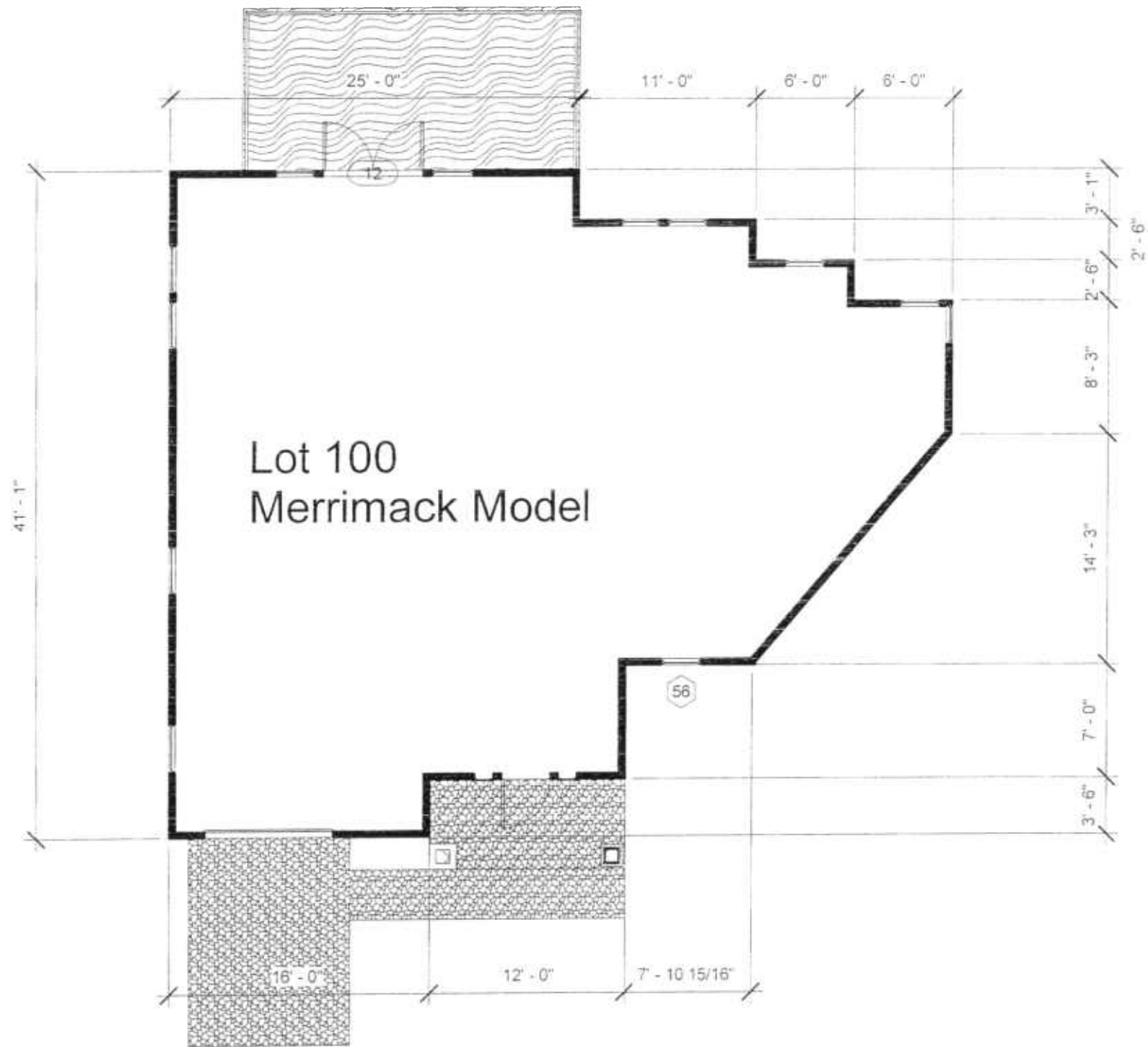
RIGHT ELEVATION LOT 99 MANNARD MODEL



BACK ELEVATION LOT 99 MANNARD MODEL

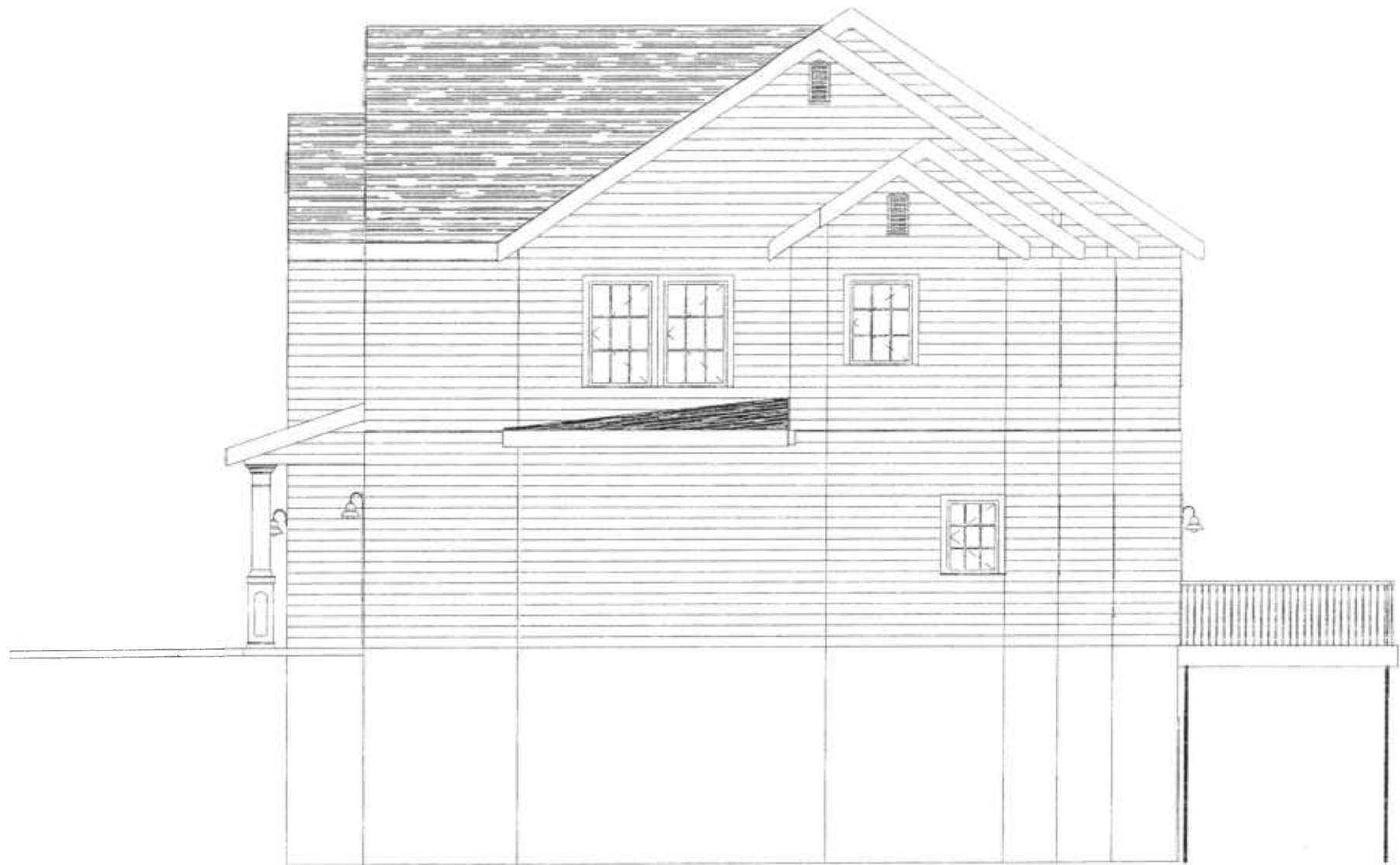


LEFT ELEVATION LOT 99 MANNARD MODEL





Front Elevation Lot 100 Merrimack Model



Right Elevation Lot 100 Merrimack Model



Back Elevation Lot 100 Merrimack Model



Left Elevation Lot 100 Merrimack Model

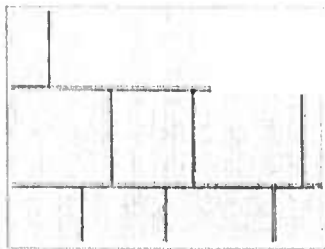


EP Henry Paver Driveway



JamesHardie

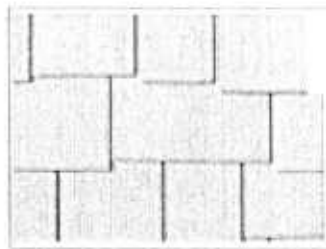
Colonial 1



Siding 1

Straight Edge

Evening Blue JH70-30



Siding 2

Staggered Edge

Evening Blue JH70-30

Trim

Arctic White JH10-20

Shutters

Arctic White JH10-20



Roof

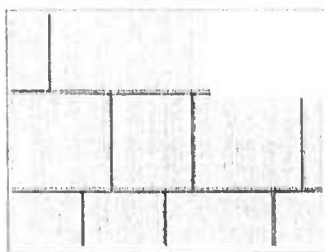
Grey

These renderings are meant to show color selections ONLY. This is NOT the exterior elevation of the home to be built.



JamesHardie

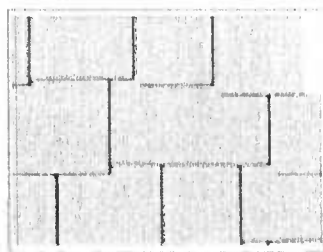
Colonial 1



Siding 1

Straight Edge

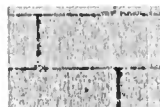
Khaki Brown JH20-30



Siding 2

Staggered Edge

Khaki Brown JH20-30



Trim

Arctic White JH10-20

Shutters

Arctic White JH10-20

Roof

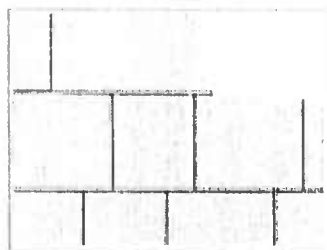
SandStone

These renderings are meant to show color selections ONLY. This is NOT the exterior elevation of the home to be built.



JamesHardie

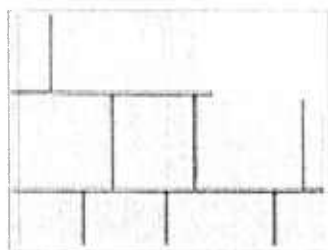
Colonial 1



Siding 1

Straight Edge

Mountain Sage JH50-30



Siding 2

Straight Edge

Mountain Sage JH50-30



Trim

Arctic White JH10-20

Shutters

Monterey Taupe JH40-20



Roof

Charcoal

These renderings are meant to show color selections ONLY. This is NOT the exterior elevation of the home to be built.

Developing and Building Sustainably with James Hardie

James Hardie is committed to helping you build better, more sustainable projects by working with building science experts to understand the role our products play in the building envelope. While products alone do not provide points, the following information will help you determine how James Hardie products contribute toward the overall performance of the building.

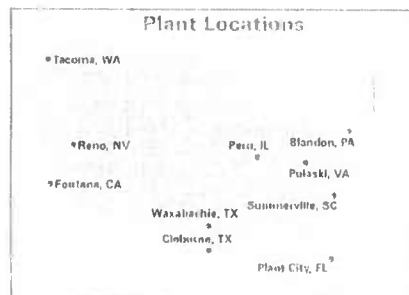
For programs requiring documentation of Recycled Content or Regional Materials:

Call James Hardie Technical Services at 1-866-4HARDIE • Provide the project zip code
• Provide materials specified • Technical Services will provide a letter documenting James Hardie's contribution

| NATIONAL GREEN GUIDELINE PROGRAMS | JAMES HARDIE SIDING PRODUCTS | JAMES HARDIE BACKER BOARD |
|---|--|---|
| Projects seeking USGBC LEED® certification | MR 5.1 and 5.2 Regional Materials; ID2.1 Durability and Planning Credit ¹ ; ID 2.4 Third Party Durability Inspection ¹ ; SSc5 Pest Control Alternatives ¹ | MR 4.1 and 4.2 Recycled Content ¹ ; MR 5.1 and 5.2 Regional Materials ¹ ; ID 2.2 Indoor Moisture Control ¹ |
| NAHB's Voluntary Model Green Home Building Guidelines | 2.1.5 No additional finish resources to complete application onsite ¹ ; 2.2.8 Termite resistant materials; 2.7.1 Products that contain fewer resources than traditional products; 2.8.1 Locally available materials | 2.4.1 Recycled Content; 2.8.1 Locally available; 5.3.2 Moisture management ¹ |

¹LEED-NC (commercial) only; ²LEED for Home; ³Fiber-cement can be used to protect the foundation insulation. LEED for Home only; ⁴Durability Inspection Checklist in LEED for Home includes issues with Pests and Natural Disasters; ⁵JH siding with ColorPlus® Technology is delivered to the job site pre-painted; ⁶Non paper-faced backerboard.

While all green programs share a common goal of more efficient, healthier building, they do not always measure every way a product can contribute toward a better structure. Durability, non-combustibility, less need for paint – all of these are important factors in green building.



- Ten manufacturing facilities support the regional economy and reduce the environmental impact caused by transportation of materials.
- Raw materials that are extracted and processed near each manufacturing facility also reduces transportation.
- Raw materials are low in toxicity – wood pulp, cement, sand and water (recycled up to 4 times).
- Longer lasting materials not only require fewer resources for replacement but also reduce maintenance and repair costs.
- Unique ColorPlus manufacturing process bakes on paint in our factories delivering a quality, consistent finish, eliminating VOCs during exterior painting. 15-year finish warranty ensures reduced need for repainting.
- James Hardie siding is non-combustible in accordance with ASTM E 136 and can be installed to achieve MIAMI-DADE Large and Small Missile Impact Rating.
- Manufacturing processes focus on quality, first-run materials. Zero to Landfill project aimed at reducing amount of raw materials waste sent to the landfills by half.



Resists Damage From
Wet, Humid Climates



Resists Damage From
Cold, Climates



Resists Damage
From Impact



Resists Damage
from Insects



Resists
Flame Spread

GREEN EXPERTS:

"The single most important factor in green architecture is durability. If you want something to be green it has to last a long time. It has to handle water, heat and UV radiation. Fiber-cement handles all three exceptionally well."

— Joseph Lstiburek, RASC, MENG, PhD, FENG

"Green programs are intended to provide guidelines, however, they don't account for everything – good, common sense tells you that if a product is durable, doesn't rot, it will make your building better."

— Peter Pfeiffer, FAIA



JamesHardie

1-866-4-HARDIE (1-866-442-7343)
www.jameshardie.com



NAHB NATIONAL
GREEN BUILDING
PROGRAM



Please visit www.jameshardie.com for additional product information and availability, installation information, drawings and warranties.

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LEED is a registered trademark of the U.S. Green Building Council

James Hardie

Vinyl Siding

Flame Resistance

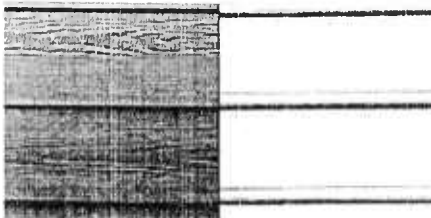
Non-combustible
Approved for fire-rated
construction.



Vinyl siding will melt or burn when exposed to a significant source of heat or flame.

Color Flexibility

Can be painted any color you
can imagine and lasts longer
than with wood.



Color cannot be changed and is
susceptible to fading. And it's difficult
to get a perfect match when repairs
are necessary.

Weather Resistance

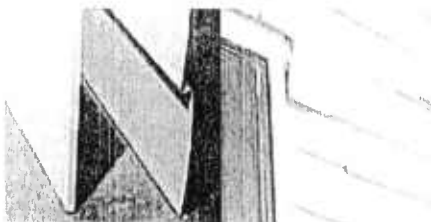
So durable it's guaranteed for up
to 50 years, even in the most
severe climates on earth.



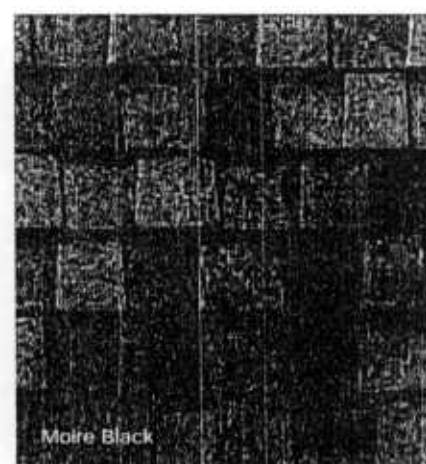
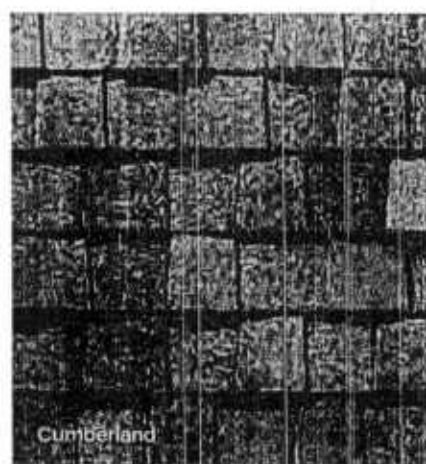
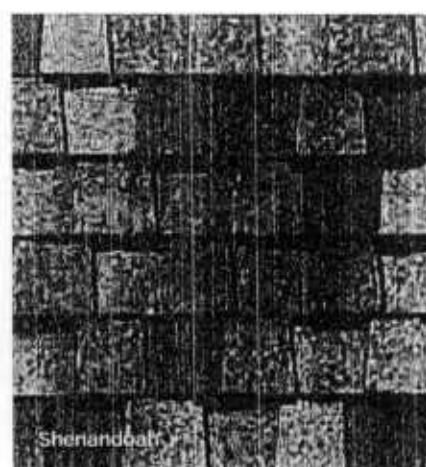
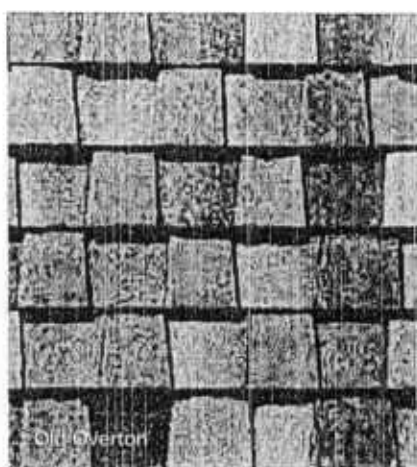
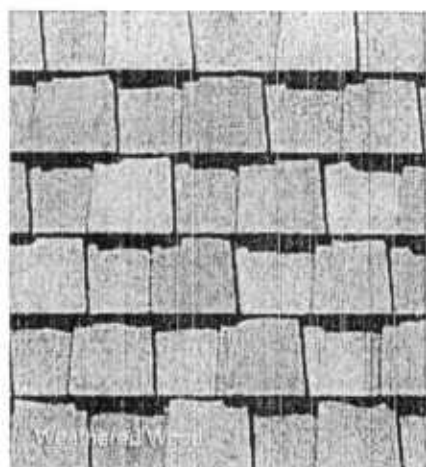
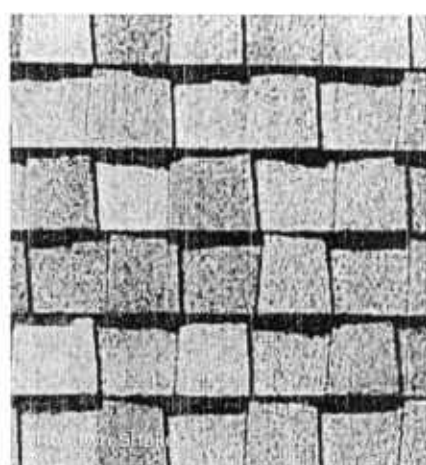
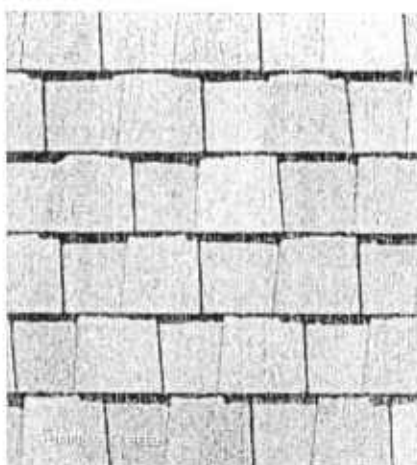
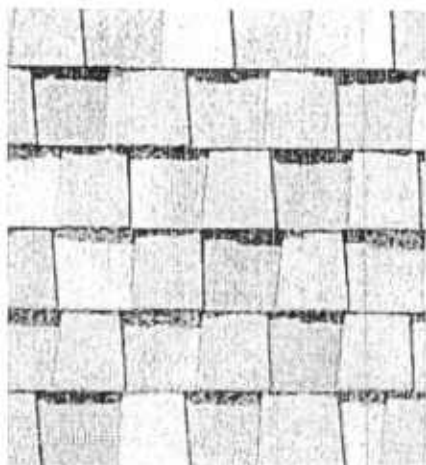
Becomes brittle in cold weather. Can
be damaged by hail, limbs, and other
flying debris.

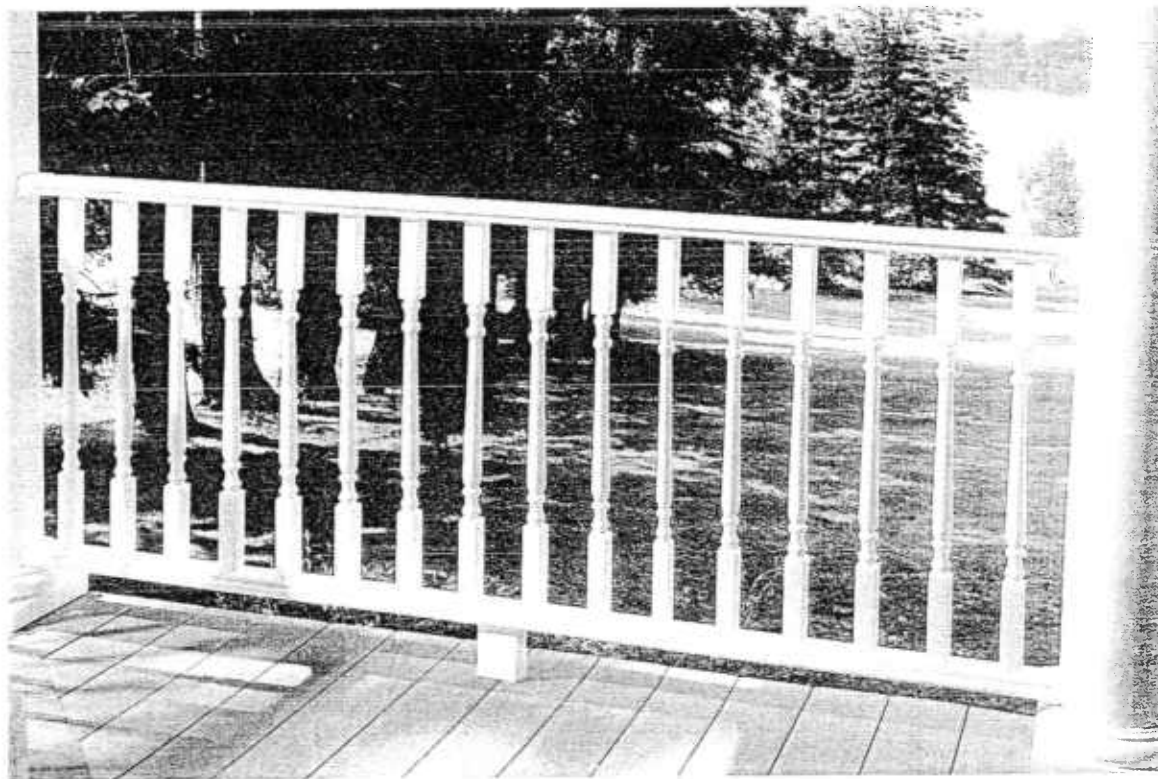
Thickness

James Hardie siding's strength
and thickness provide impact
resistance caused by hail or
wind.



Premium vinyl siding is only 5/100"
thick.





White Pressure-treated Exterior Railing System



STORMMASTER

888-795-6780



Storm Master has installed more than 15 million feet of gutters and leaders since opening in 1977. Our philosophy is to match the best gutter products to each of our customers needs, install with quality and offer superior service for a reasonable price.

5" White Gutter and Downspout System



5" K-Style: Standard seamless type of gutter designed for average sized homes, available in medium weight .027 gauge. Designed with a collection opening of 4.25" and capable of holding 2.5 quarts of water per foot. Usually used in conjunction with 2" x 3" or 3" x 4" downspouts.



THERMA TRU[®] DOORS



Energy Efficient Products



Therma-Tru entry door systems are ENERGY STAR compliant and NFRC Certified. ENERGY STAR is a government-backed program helping businesses and individuals protect the environment through superior energy efficiency.

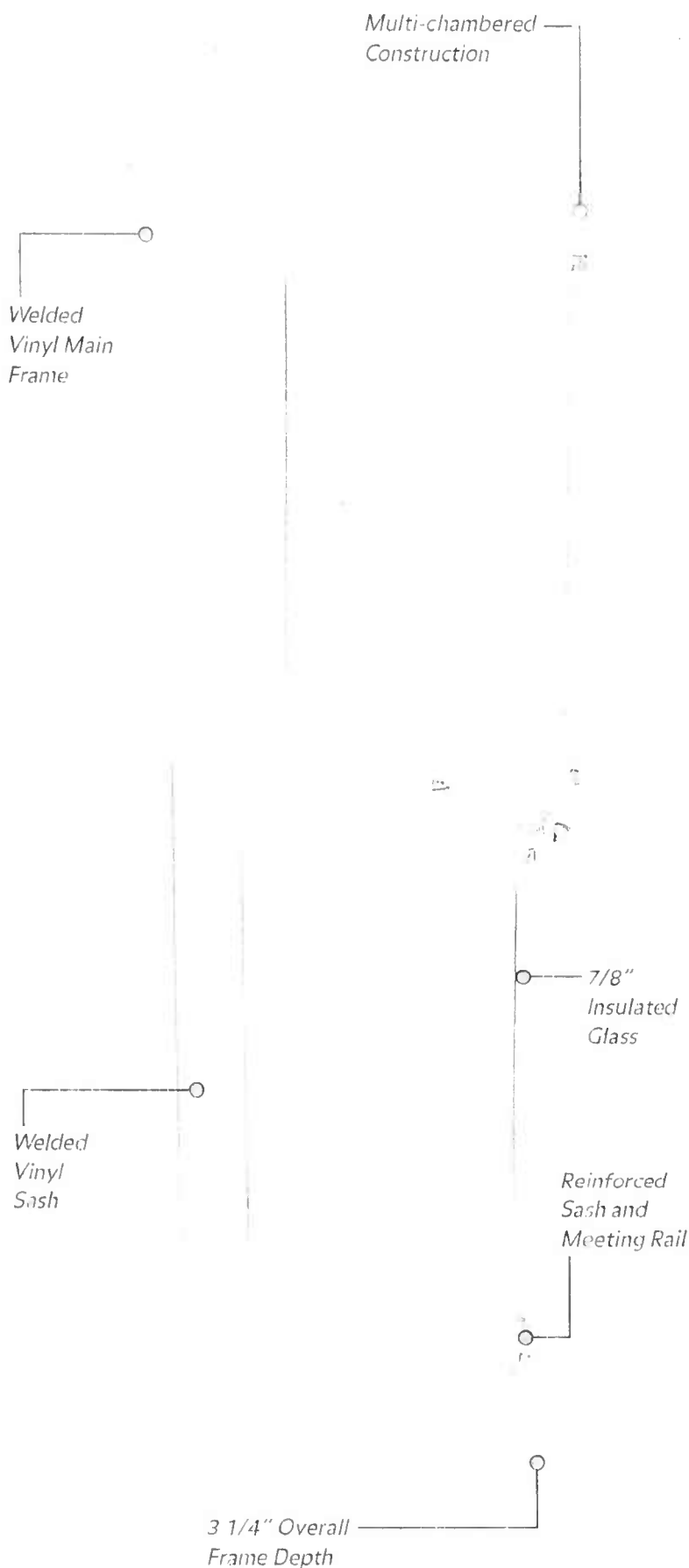


Front Entry Steel Door
To be painted to match siding color



Side-light Accent(s)
To be painted to match siding color

ENERGY STAR qualified windows, doors, and skylights do more than just lower energy bills—they deliver more comfort, create less condensation, and protect your valuables from sun damage better than conventional clear-glass double-paned alternatives.



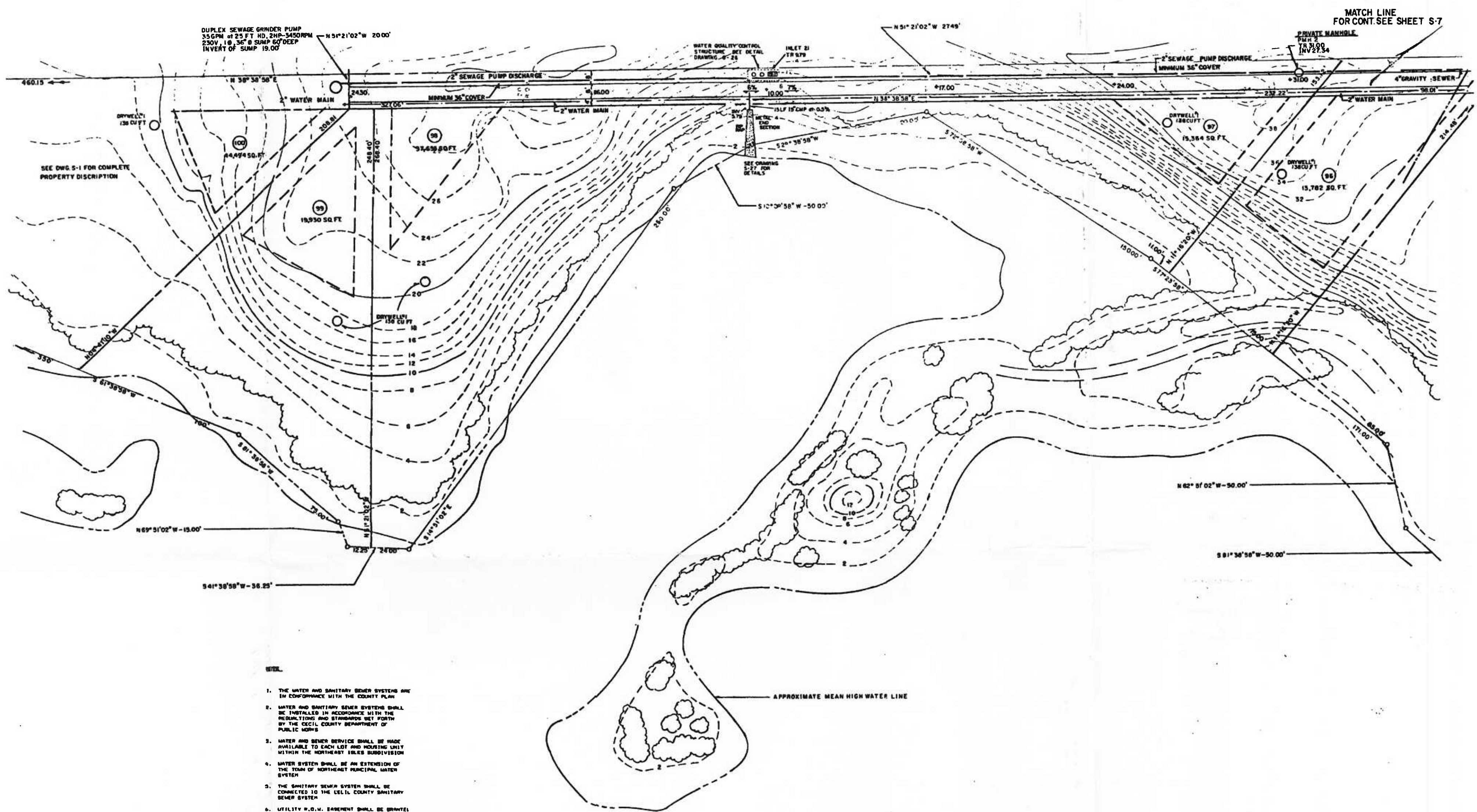
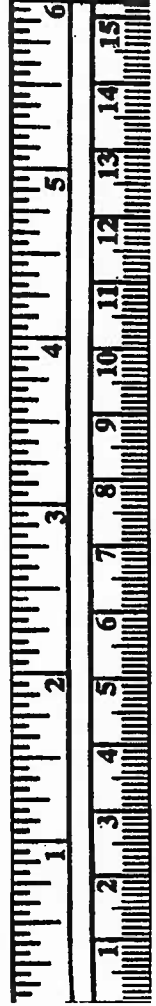
Cross Section of 8500 Sash & Frame



Seeing You Through.

To us, "Seeing You Through" is a philosophy that goes beyond the factory, beyond the warehouse, and right into each home. It's what drives us to manufacture products that are complete, accurate and delivered on time. But most of all, it's why our customers place their trust in us.

8500 WELDED VINYL SINGLE HUNG WINDOW



- NOTES:
1. THE WATER AND SANITARY SEWER SYSTEMS ARE IN CONFORMANCE WITH THE COUNTY PLAN.
 2. WATER AND SANITARY SEWER SYSTEMS SHALL BE INSTALLED IN ACCORDANCE WITH THE REGULATIONS AND STANDARDS SET FORTH BY THE CECIL COUNTY DEPARTMENT OF PUBLIC WORKS.
 3. WATER AND SEWER SERVICE SHALL BE MADE AVAILABLE TO EACH LOT AND HOUSING UNIT WITHIN THE NORTHEAST ISLES SUBDIVISION.
 4. WATER SYSTEM SHALL BE AN EXTENSION OF THE TOWN OF NORTHEAST PRINCIPAL WATER SYSTEM.
 5. THE SANITARY SEWER SYSTEM SHALL BE CONNECTED TO THE CECIL COUNTY SANITARY SEWER SYSTEM.
 6. UTILITY E.O.M. BASEMENT SHALL BE ORIENTED TO TOWN OF NORTHEAST FOR WATER SYSTEM MAINTENANCE AND TO CECIL COUNTY SEWER AUTHORITY FOR SEWER SYSTEM MAINTENANCE.

OWNER:
RLP PROPERTIES, INC.
P. O. BOX 79
CHESAPEAKE CITY, MARYLAND 21033

ATTEST
IN WITNESS WHEREOF, THE SAID OWNER HAS CAUSED THIS SUBDIVISION TO BE DULY EXECUTED THE DAY AND DATE FIRST WRITTEN
Matthew D. Laquey, Vice Pres.

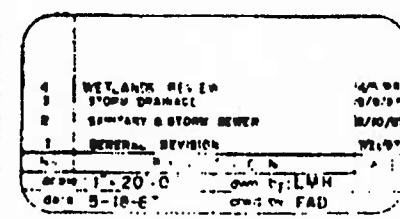
STATE OF MARYLAND & S.S.
CECIL COUNTY

ON THIS, THE 11th DAY OF MAY, 1990, BEFORE ME, CECIL A. GALT, a Notary Public in and for the State of Maryland, personally appeared Matthew D. Laquey, Vice Pres. known to me to be the person whose name is subscribed to this instrument and acknowledging that the SUBDIVISION SHOWN ON THIS PLAN WAS MADE WITH HIS FREE CONSENT AND THAT IT IS DESIRED TO RECORD SAME.

IN WITNESS WHEREOF, I HERETO SET MY HAND AND OFFICIAL SEAL
Matthew D. Laquey, Vice Pres.
Laquey, 7/1/90

APPROVALS:
TOWN OF NORTHEAST
James M. Smith, Mayor
JAMES M. SMITH, Mayor
CECIL COUNTY
Frederick A. Galt, Jr., Notary Public
FREDERICK A. GALT, JR., Notary Public

WE HEREBY CERTIFY THAT THE PLANS CONTAINED IN THIS SUBDIVISION FOR SUBDIVISION APPROVAL ARE IN CONFORMANCE WITH THE ORDINANCES OF THE TOWN OF NORTHEAST, CECIL COUNTY, MARYLAND
Frederick A. Galt, Jr., Notary Public
FREDERICK A. GALT, JR., Notary Public



NORTHEAST ISLES
SUBDIVISION
TOWN OF NORTHEAST, CECIL COUNTY, MARYLAND
DEVELOPED BY
RLP PROPERTIES, INC.
P.O. BOX 79, CHESAPEAKE CITY, MARYLAND, 21033

CUSTOM DESIGNED DETACHED HOUSES
SECTION 6
CONSOLIDATED ENGINEERS & CONSULTANTS, INC.
7 WOODSIDE AVENUE, BERWYN PA 19001 (215) 647-2777

S-9
205-001 000

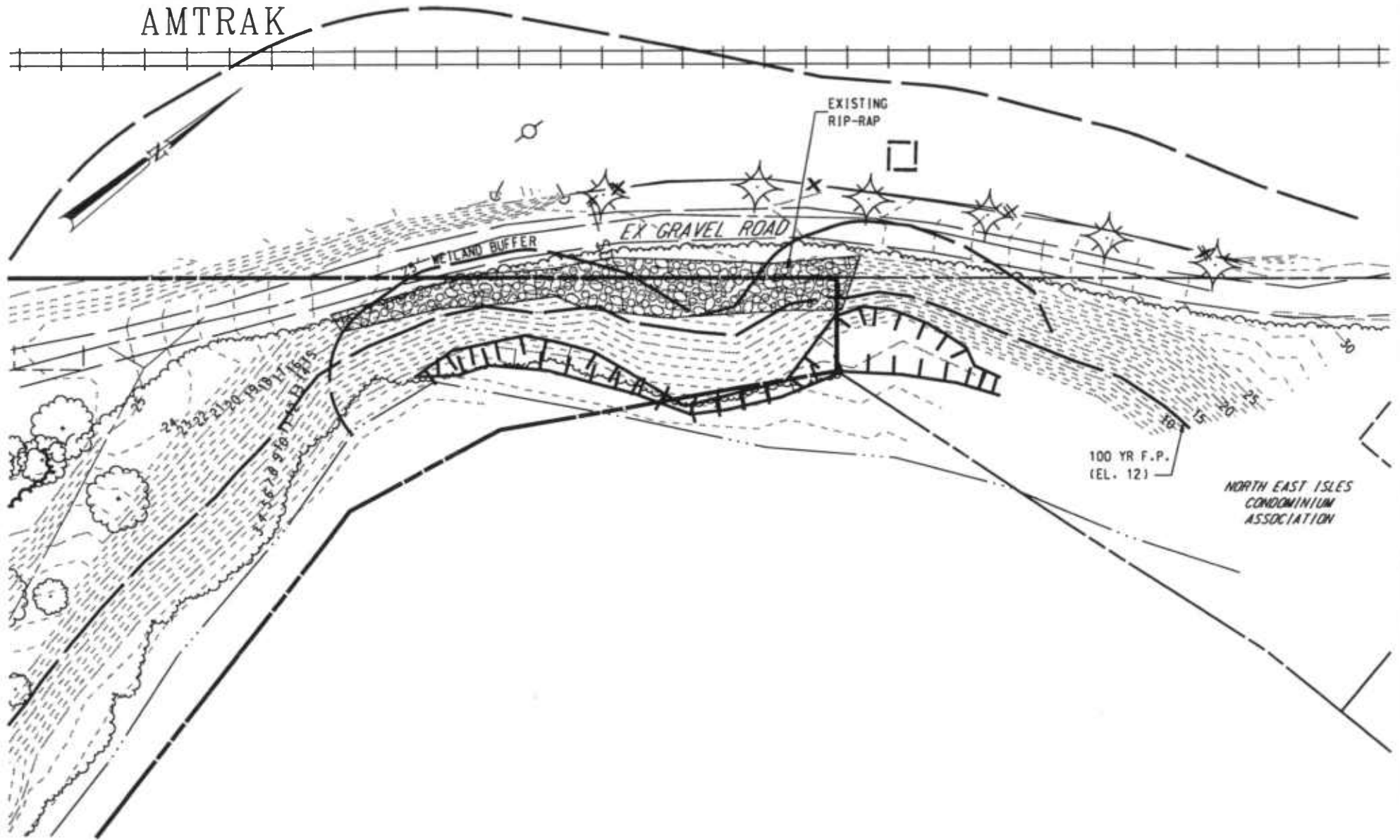
MSA SSU 1241-936-8



6-2-88
NOS 13
Plot 84
Nelson D. Smith

A-2008-10,11,12,13-V

AMTRAK



SCALE
1" = 40'

DATE
04/12/07

DR. BY
JRS

CH. BY
ACS

SHEET NO.
1 OF 2

JOB NO.
2061068.00



FREDERICK WARD
ASSOCIATES

www.frederickward.com

ARCHITECTS | ENGINEERS | PLANNERS | SURVEYORS

P.O. Box 727, 5 South Main Street
Bel Air, Maryland 21014-0727
410-879-2090
410-893-1243 fax

EXISTING CONDITIONS

NORTH EAST ISLES
LOTS 98, 99 & 100

AMTRAK

P. 812
CECIL COUNTY
METROPOLITAN COMMISSION
WAS/163/557

EX GRAVEL ROAD

100 YR F.P.
(EL. 12)

110' BUFFER

LOT 100

NON-TIDAL
WETLANDS

25' WETLAND BUFFER

LOT 99

LOT 98

100 YR F.P.
(EL. 12)

NORTH EAST ISLES
CONDOMINIUM
ASSOCIATION

NORTH EAST RIVER
(HABITAT PROTECTION AREA)

NORTH EAST RIVER
(HABITAT PROTECTION AREA)

LEGEND

- BOUNDARY
- EX CONTOURS
- 100 YEAR FLOODPLAIN
- MEAN HIGH WATER LINE
- EX. TREE LINE
- PROPOSED BUILDING
- PROPOSED DRIVEWAY
- PROPOSED TREELINE
- 110 FT BUFFER
- TIDAL WETLANDS
- 25' BUFFER

RECEIVED

ENGINEER'S SEAL

MAR - 3 2008

SCALE
1" = 60'

DATE
02/13/08

DR. BY
JRW

CH. BY
ACS

PLAT NO.
2 of 2

JOB NO.
2061068

FWM

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VARIANCE EXHIBIT PLAN
PROPOSED LAYOUT

NORTH EAST ISLES
LOTS 98, 99 & 100

NORTH EAST ISLES DRIVE
NORTH EAST, MD 21901

A-2008-10,11,12,13-V

M:\PROJECTS\2061068\2061068.dwg - JRW

AMTRAK

P. 812
CECIL COUNTY
METROPOLITAN COMMISSION
WAS/163/557

100 YR F.P.
(EL. 12)

LOT 100

LOT 98

LOT 99

EX GRAVEL ROAD

100 YR F.P.
(EL. 12)

NORTH EAST ISLES
CONDOMINIUM
ASSOCIATION

NORTH EAST RIVER
(HABITAT PROTECTION AREA)

NORTH EAST RIVER
(HABITAT PROTECTION AREA)

LEGEND

- BOUNDARY
- - - EX CONTOURS
- 100 YEAR FLOODPLAIN
- MEAN HIGH WATER LINE
- EX. TREE LINE
- [Hatched Box] STEEP SLOPE 15-25%
- [Cross-hatched Box] STEEP SLOPE < 25%
- [Stippled Box] EX. RIPRAP
- 110 FT BUFFER
- [Vertical Line Pattern] TIDAL WETLANDS
- 25' BUFFER

ENGINEER'S SEAL

SCALE
1" = 60'

DATE
02/13/08

DR. BY
JRW

CH. BY
ACS

PLAT NO.
1 of 2

JOB NO.
2061068



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ASSOCIATES

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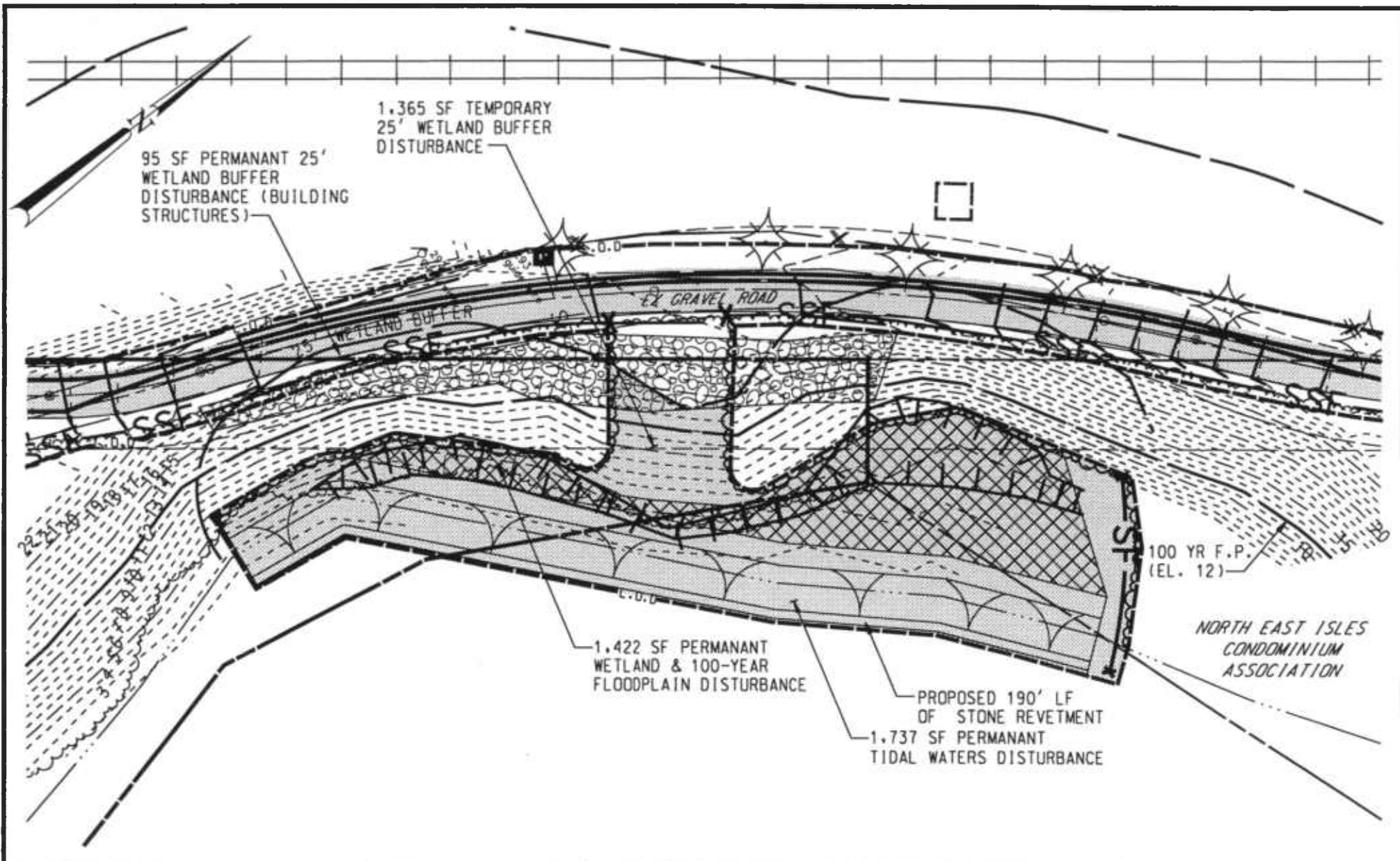
ARCHITECTS | ENGINEERS | PLANNERS | SURVEYORS

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Bel Air, Maryland 21014-0727
410-879-2090
410-893-1243 fax

VARIANCE EXHIBIT PLAN
EXISTING FEATURES
NORTH EAST ISLES
LOTS 98, 99 & 100

NORTH EAST ISLES DRIVE
NORTH EAST, MD 21901

A-2008-10,11,12,13-V



SCALE
1" = 30'

DATE
09/06/07

DR. BY
CDS

CH. BY
ACS

SHEET NO.
1 of 2

JOB NO.
2061068



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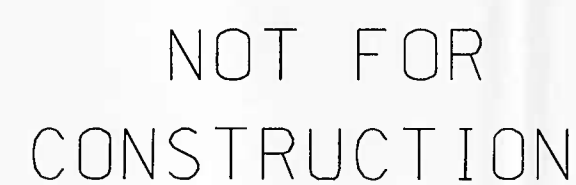
P.O. Box 727, 5 South Main Street
Bel Air, Maryland 21014-0727
410-879-2090
410-893-1243 fax

DISTURBANCE SHEET

NORTH EAST ISLES LOTS 98, 99 & 100

TOTAL DISTURBANCE:

WETLANDS:
1,422 SF (0.03 AC)
25' WETLAND BUFFER:
1,460 SF (0.03 AC)
100-YEAR FLOODPLAIN:
7,112 SF (0.16 AC)
TIDAL WATERS:
1,737 SF (0.04 AC)



OWNER/DEVELOPER
LARSON'S INVESTMENTS, LTD.
P.O. BOX 168
CHILDS, MD 21916
ATTN: MR. LEE LARSON
(410)-392-5175





**P.O. Box 727, 5 South Main Street
Bel Air, Maryland 21014-0727
410-879-2090
410-893-1243 fax
www.frederickward.com**

CRITICAL AREA LOT COVERAGE PLAN
NORTH EAST ISLES LOTS 98, 99 & 100

NORTH EAST ISLES DRIVE
NORTH EAST, MD 21901

FIFTH ELECTION DISTRICT

CECIL COUNTY, MARYLAND

| | | |
|---|--------------------|---|
| ENGINEER'S SEAL | DATE 09/05/06 | DRAWING NO. |
|  | SCALE 1" = 30' |  |
| | DESIGNED BY ACS | |
| | DRAWN BY JHS | FWA JOB NUMBER 2061068.00 |

12/18/2008 1:14:50 PM
M:\PROJECTS\2061068\ENGR\PE02.DGN - JWS

BUFFER MANAGEMENT NOTES

- MANAGEMENT PLAN SHALL STATE THAT A CERTIFIED TREE ARBORIST SHALL PERFORM ALL TREE REMOVAL WORK.
- MANAGEMENT PLAN SHALL STATE: "THE TOWN SHALL BE NOTIFIED AT LEAST FIVE DAYS PRIOR TO THE START OF ANY CONTROL UNDER THE MANAGEMENT PLAN AND SHALL REPORT THE NAME, ADDRESS, AND TELEPHONE NUMBER OF THE TREE ARBORIST SCHEDULED TO PERFORM THE WORK."
- MANAGEMENT PLAN SHALL STATE: "THE HOMEOWNER(S) SHALL ASSUME RESPONSIBILITY FOR ALL WORK PERFORMED AND ONLY AS SPECIFIED IN THE BUFFER MANAGEMENT PLAN. ANY UNAPPROVED METHOD OF VEGETATIVE CONTROL SHALL BE CONSIDERED A VIOLATION."
- NATURAL REGENERATION OF NATIVE VEGETATION AND GROUND COVER WILL BE PERMITTED ONSITE AFTER THE INITIAL PLANTING OF THE BUFFER AREA.

PLANTING AREAS

| AREA | SIZE / NOTES |
|-------|---|
| A | FOR REPLACEMENT OF HOUSE TREE REMOVAL 8,083 SQUARE FEET |
| B | 2,252 SQUARE FEET |
| C | 2,873 SQUARE FEET |
| D | 1,944 SQUARE FEET |
| E | 3,663 SF - INTERMIX WITH EXISTING TREES |
| F | 1,775 SQUARE FEET |
| G | 1,205 SQUARE FEET |
| H | 150 SQUARE FEET |
| TOTAL | 21,945 SQUARE FEET |

THE REMAINING 12,772 S.F. OF REQUIRED PLANTINGS WILL BE PLANTED WITHIN THE TOWN LIMITS AT VARIOUS LOCATIONS DETERMINED BY THE TOWN OF NORTH EAST. THESE PLANTINGS WILL BE PERFORMED BY LARSON'S TREE SERVICE AND LANDSCAPING. THIS PROJECT IS REQUIRED TO PLANT 128 (2" CALIPER) NATIVE TREES SPECIES. ALL TREES WILL BE STAKED, MULCHED AND GUARANTEED FOR ONE YEAR BY THE INSTALLER. THE COST ESTIMATE FOR EACH TREE IS \$150 (TREE/INSTALLATION/GUARANTEE). IF ANY PORTION OF THE 128 TREES ARE NOT PLANTED WITHIN THE TOWN, THEN THE REMAINING TREES WILL BE PAID AT \$150 PER TREE TO THE TOWN'S PLANTING FUND. THE PLANTINGS SHALL BE COMPLETED WITHIN TWO YEARS AFTER CONSTRUCTION. IF NOT, THEN THE FEE SHALL BE PAID TO THE TOWN.

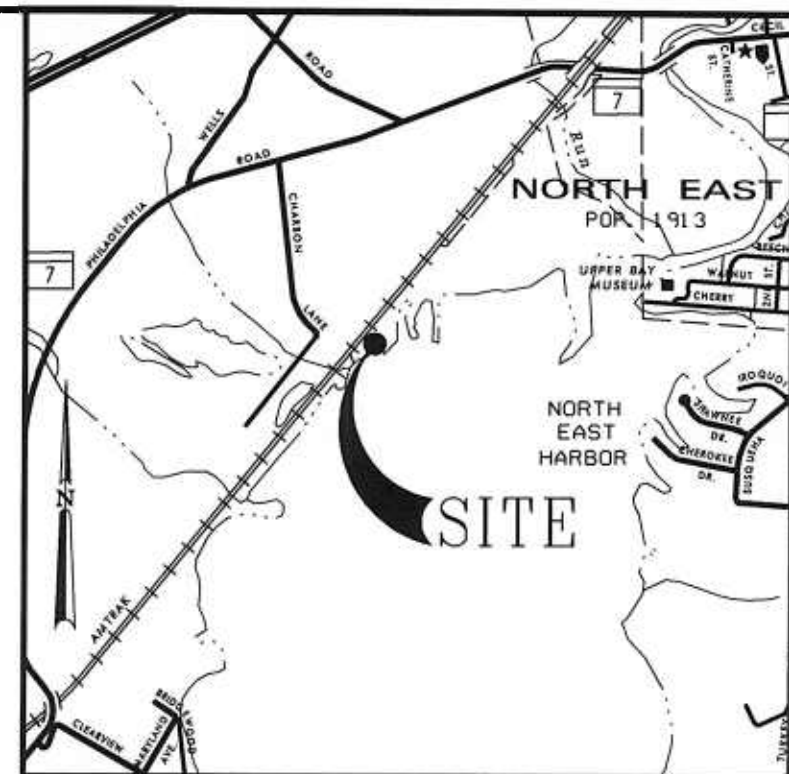
TREE REPLACEMENT CHART

| LOCATION OF IMPACT | NUMBER OF TREES REMOVED OR LOT COVERAGE | REPLACEMENT RATIO | NUMBER OF TREES TO PLANT OR SQUARE FEET |
|--------------------------------------|---|-------------------|---|
| HOUSE AREAS | 26 TREES | 3:1 | 7,800 SF |
| WALKWAYS (HOUSE TO WATER) | 0 TREES | 2:1 | 0 TREES |
| SHORELINE STABILIZATION LOT COVERAGE | 370 SF | 1:1 | 370 SF |
| CLEARING | 1,323 SF | 3:1 | 3,969 SF |
| DRIVEWAY | 1,474 SF | 3:1 | 4,422 SF |
| ACCESS ROAD | 6,052 SF | 3:1 | 18,156 SF |
| TOTAL REQUIRED | | | 34,717 SF |

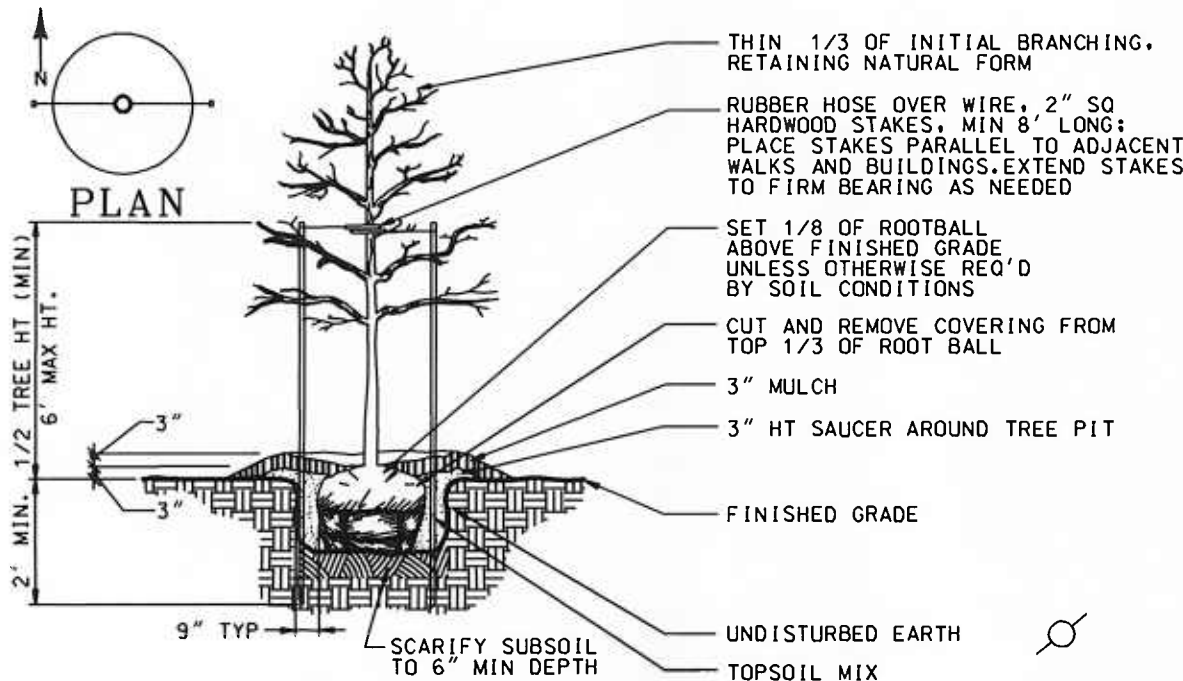
ON-SITE TREE PLANTINGS

| SYMBOL | AREA A | AREA B | AREA C | AREA D | AREA E | AREA F | AREA G | AREA H | TOTAL | COMMON NAME | SIZE | SPACING | COMMENTS |
|--------|--------|--------|--------|--------|--------|--------|--------|--------|-------|---------------------|-----------------|----------|------------|
| | 10 | 3 | 4 | 3 | 5 | 1 | 0 | 0 | 25 | RED MAPLE | 2" CAL. B & B | 20' O.C. | AS SHOWN |
| | 10 | 3 | 3 | 2 | 5 | 1 | 0 | 0 | 24 | SYCAMORE | 2" CAL. B & B | 20' O.C. | AS SHOWN |
| | 20 | 6 | 0 | 0 | 0 | 0 | 0 | 0 | 25 | SWEET BAY MAGNOLIA | 5 - 6' HT TUBEX | 10' O.C. | INTERMIXED |
| | 20 | 6 | 0 | 0 | 0 | 0 | 0 | 0 | 26 | AMERICAN HORNBREAM | 5 - 6' HT TUBEX | 10' O.C. | INTERMIXED |
| | 0 | 0 | 8 | 6 | 5 | 4 | 0 | 2 | 25 | SERVICEBERRY | 5 - 6' HT TUBEX | 10' O.C. | INTERMIXED |
| | 0 | 0 | 8 | 6 | 5 | 4 | 9 | 2 | 34 | REDBUD | 5 - 6' HT TUBEX | 10' O.C. | INTERMIXED |
| TOTALS | 60 | 18 | 23 | 17 | 19 | 10 | 9 | 4 | 159 | TOTAL TREES PLANTED | | | |

NOTE: ALL SUBSTITUTION MUST BE APPROVED BY THE TOWN OF NORTH EAST OFFICE OF PLANNING & ZONING



VICINITY MAP
1"=2000'



DECIDUOUS TREE PLANTING

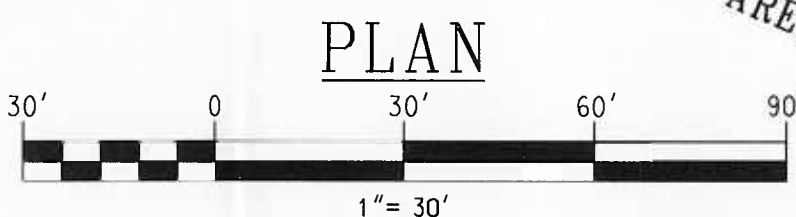
NOTE: LANDSCAPE FABRIC TO BE INSTALLED BENEATH MULCH IN ALL PLANTING BEDS UNLESS OTHERWISE NOTED.

GENERAL PLANTING NOTES

- * PLANTING ON EACH LOT SHALL BE INSTALLED AFTER DEVELOPMENT HAS OCCURRED. PLANTING BEHIND THE GABION WALL SHALL BE INSTALLED AFTER CONSTRUCTION IS COMPLETE.
- 1. ALL PLANT MATERIAL SHALL CONFORM TO THE SIZES GIVEN IN THE PLANT LIST AND SHALL BE NURSERY GROWN IN ACCORDANCE WITH THE "USA STANDARD FOR NURSERY STOCK," LATEST EDITION.
- 2. ALL PLANTING SHALL BE IN ACCORDANCE WITH STANDARD AMERICAN ASSOCIATION OF NURSERYMEN PROCEDURES AND SPECIFICATIONS.
- 3. CONTRACTOR AND OWNER'S REPRESENTATIVE SHALL VERIFY THE CORRECT LOCATION OF ALL UNDERGROUND UTILITIES IN THE FIELD PRIOR TO INSTALLATION OF ANY PLANT MATERIALS.
- 4. PLANT MATERIAL LOCATION TO BE STAKED IN THE FIELD AND APPROVED BY THE LANDSCAPE ARCHITECT PRIOR TO PLANTING.
- 5. OBTAIN APPROVAL FROM THE TOWN OF NORTH EAST AND CBCA PLANNER BEFORE MAKING ANY SUBSTITUTIONS OR CHANGES.
- 6. THIS PLAN HAS BEEN PREPARED IN ACCORDANCE WITH THE PROVISIONS OF THE TOWN OF NORTH EAST CODE AND THE CBCA MANUAL.
- 7. GENERAL CONTRACTOR IS TO PROVIDE ALL MATERIALS AND LABOR, INCLUDING PLANTS, PLANTER FILL MATERIALS, MULCHES, SOIL PREPARATION, DECORATIVE ITEMS, INSPECTION, TRANSPORTATION, WARRANTY, ETC.
- 8. PROVIDE A WARRANTY ON ALL WORK FOR A MINIMUM OF TWO YEARS INCLUDING TWO CONTINUOUS GROWING SEASONS. COMMENCE WARRANTY ON THE DATE IDENTIFIED IN THE CERTIFICATE OF SUBSTANTIAL COMPLETION. WARRANTY TO INCLUDE COVERAGE OF PLANTS FROM DEATH OR UNHEALTHY CONDITIONS. REPLACEMENT PLANTS SHALL BE THE SAME SIZE AND SPECIES AS SPECIFIED. PLANTED IN THE NEXT GROWING SEASON WITH A NEW WARRANTY COMMENCING WITH THE DATE OF THE REPLACEMENT.
- 9. MAINTAIN PLANT LIFE IMMEDIATELY AFTER PLACEMENT AND CONTINUE MAINTENANCE UNTIL TERMINATION OF WARRANTY. MAINTENANCE TO INCLUDE WEEDING, APPLICATIONS OF PESTICIDES, WATERING, TRIMMING AND PRUNING, DISEASE CONTROL, AND MAINTENANCE OF PLANT BRACING EQUIPMENT.

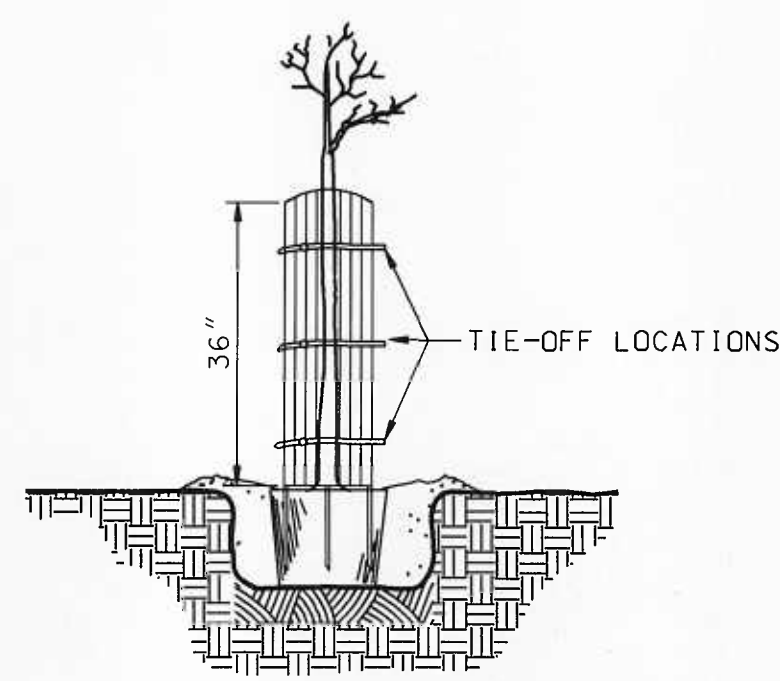
LEGEND

- BOUNDARY
- EX CONTOURS
- 100 YEAR FLOODPLAIN
- MEAN HIGH WATER LINE
- EX. TREE LINE
- PROPOSED CLEARING
- SSF - SUPER SILT FENCE
- 160 FT BUFFER
- NON-TIDAL WETLANDS
- TIDAL WETLANDS
- 25 BUFFER
- SPECIMEN TREE
- SPECIMEN TREE TO BE REMOVED
- BUFFER SIGN LOCATION



PLAN

NORTH EAST RIVER
(HABITAT PROTECTION AREA)



BIODEGRADABLE TREE SHELTER DETAIL
NOT TO SCALE

- INSTALLATION INSTRUCTIONS:
- PLANT TREE ACCORDING TO STANDARD SPECIFICATIONS.
 - PLACE THE SHELTER AROUND THE TREE.
 - DRIVE LONGER STAKES INTO THE GROUND.
 - TIE-OFF ROPE ENDS AROUND TREE.
- PRODUCT NOTES:
- TREE SHELTER MUST BE MADE OF 100% BIODEGRADABLE MATERIALS.
 - TREE SHELTER SHOULD BE MADE OF HARDWOOD SLATS WOVEN TOGETHER WITH NATURAL ROPING.
 - TREE SHELTER MUST HAVE LONGER STAKES FOR INSERTION INTO GROUND TO PROVIDE SUPPORT.

AMTRAK

SPECIMEN TREES TO BE REMOVED

| NUMBER | SIZE | COMMON NAME | LOT # |
|--------|------|--------------|-------|
| 1 | 30" | SYCAMORE | 100 |
| 2 | 15" | BLACK CHERRY | 100 |
| 3 | 10" | BLACK CHERRY | 100 |
| 4 | 10" | BLACK CHERRY | 100 |
| 5 | 22" | BLACK CHERRY | 100 |
| 6 | 24" | BLACK CHERRY | 100 |
| 7 | 19" | BLACK CHERRY | 100 |
| 8 | 15" | BLACK LOCUST | 100 |
| 9 | 17" | RED MAPLE | 100 |
| 10 | 12" | RED MAPLE | 100 |
| 11 | 21" | RED MAPLE | 100 |
| 13 | 14" | BLACK CHERRY | 99 |
| 17 | 24" | TULIP POPLAR | 99 |
| 58 | 34" | BLACK CHERRY | 99 |
| 79 | 22" | RED MAPLE | 98 |
| 80 | 13" | GREEN ASH | 98 |
| 81 | 15" | GREEN ASH | 98 |
| 82 | 16" | GREEN ASH | 98 |
| 83 | 12" | GREEN ASH | 98 |
| 84 | 5" | RED MAPLE | 98 |
| 85 | 5" | RED MAPLE | 98 |
| 86 | 3" | BLACK LOCUST | 98 |
| 96 | 8" | BLACK LOCUST | 98 |
| 97 | 11" | BLACK CHERRY | 98 |
| 98 | 12" | BLACK CHERRY | 98 |
| 100 | 14" | RED OAK | 98 |

* THIS SITE CONTAINS STEEP SLOPES THAT ARE NOT SHOWN ON THIS PLAN IN ORDER TO MAINTAIN CLARITY. PLEASE SEE SHEET 3 OF 3 OF THIS SET (E03- EXISTING FEATURES PLAN) FOR SLOPES 15-25% AND SLOPES GREATER THAN 25%.

APPROVED
TOWN OF NORTH EAST
DIRECTOR OF PLANNING

APPROVED
TOWN OF NORTH EAST
PLANNING COMMISSION

APPROVED
TOWN OF NORTH EAST
PLANNING COMMISSION CHAIRMAN

NOT FOR
CONSTRUCTION

OWNER/DEVELOPER
LARSON'S INVESTMENTS, LTD.
P.O. BOX 168
CHILDS, MD 21916
ATTN: MR. LEE LARSON
(410)-392-5175

FWM
FREDERICK WARD ASSOCIATES
ARCHITECTS | ENGINEERS | PLANNERS | SURVEYORS

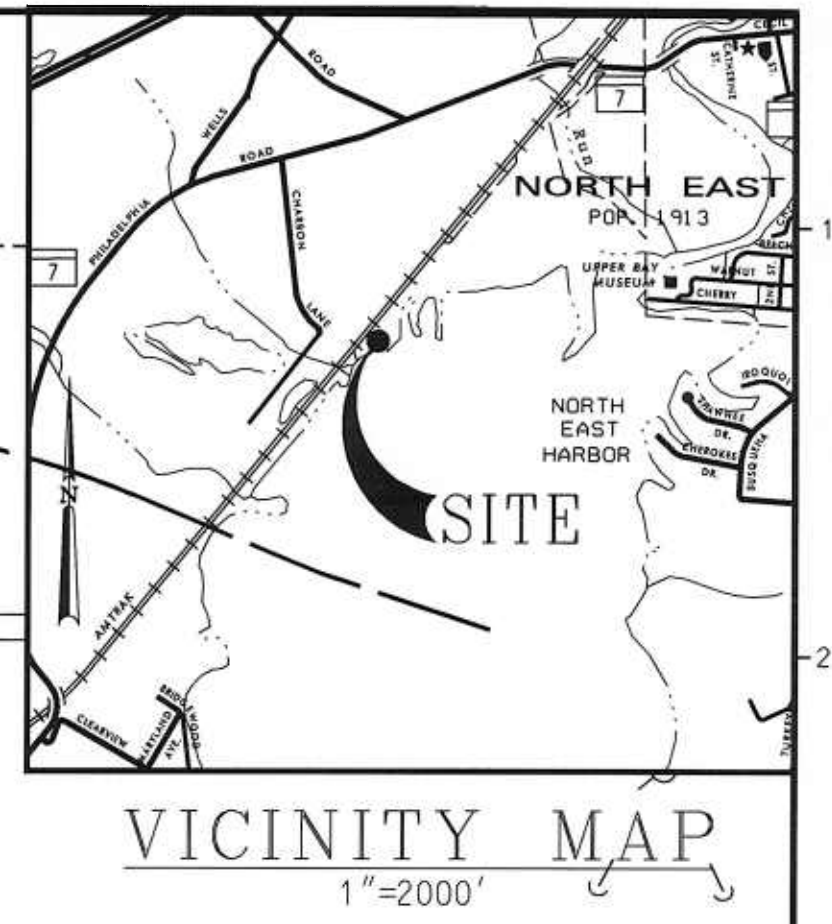
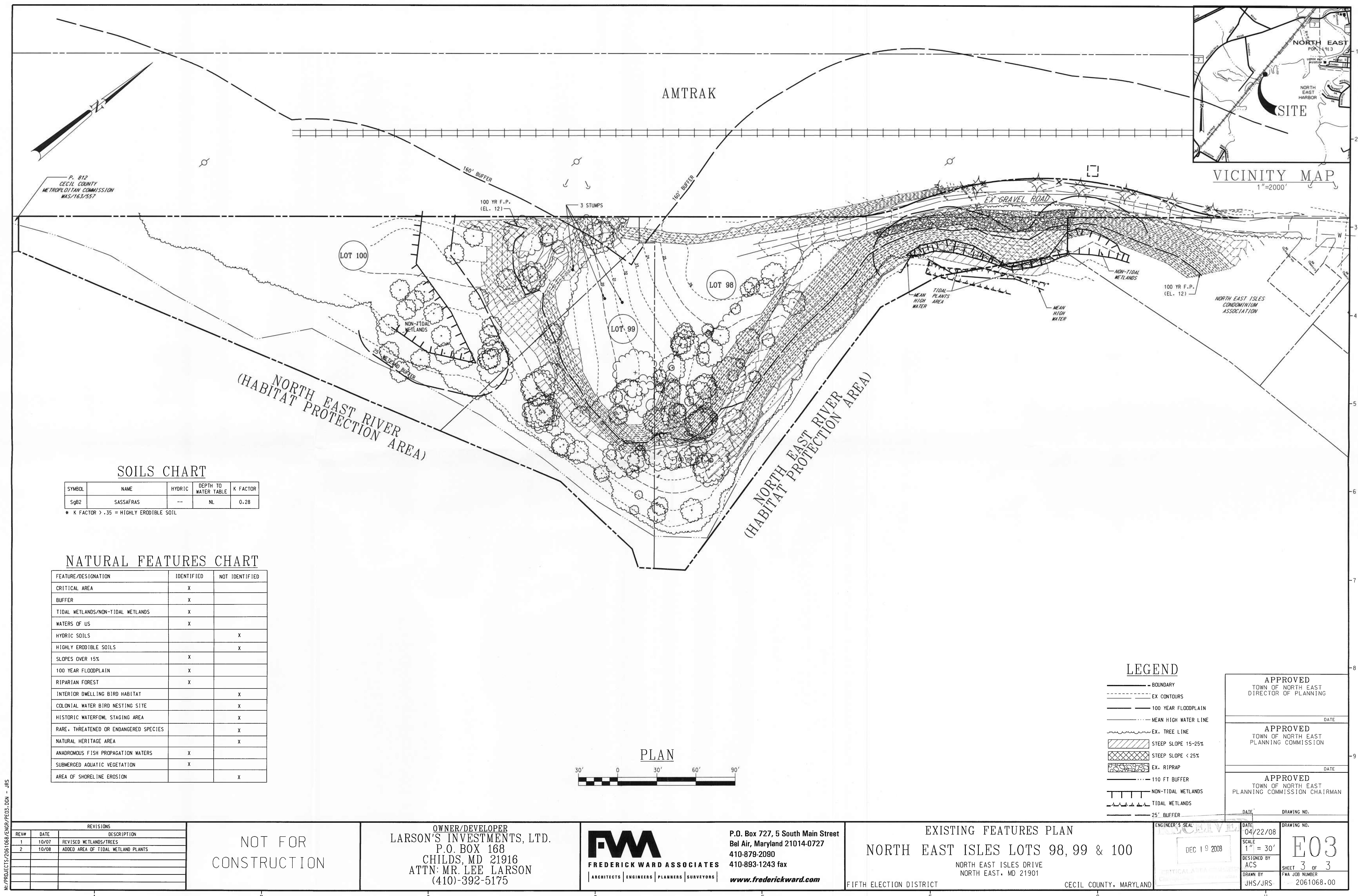
P.O. Box 727, 5 South Main Street
Bel Air, Maryland 21014-0727
410-879-2090
410-893-1243 fax
www.frederickward.com

CBCA TREE SURVEY/TREE REMOVAL/
TREE REPLACEMENT PLAN
NORTH EAST ISLES LOTS 98, 99 & 100
NORTH EAST ISLES DRIVE
NORTH EAST, MD 21901
FIFTH ELECTION DISTRICT
CECIL COUNTY, MARYLAND

ENGINEER'S SEAL
RECEIVED
DEC 19 2008
OPTICAL AREA COMMISSION

DATE
01/19/06
SCALE
1" = 30'
DESIGNED BY
ACS
DRAWN BY
JRW
DRAWING NO.
E02
SHEET 2 OF 3
FPA JOB NUMBER
2061068.00

\\0101ecsa\2061068\ENGR\PE03.dgn 12/16/2008 1:15:29 PM



SOILS CHART

| SYMBOL | NAME | HYDRIC | DEPTH TO WATER TABLE | K FACTOR |
|--------|-----------|--------|----------------------|----------|
| SqB2 | SASSAFRAS | -- | NL | 0.28 |

* K FACTOR > .35 = HIGHLY ERODIBLE SOIL

NATURAL FEATURES CHART

| FEATURE/DESIGNATION | IDENTIFIED | NOT IDENTIFIED |
|--|------------|----------------|
| CRITICAL AREA | X | |
| BUFFER | X | |
| TIDAL WETLANDS/NON-TIDAL WETLANDS | X | |
| WATERS OF US | X | |
| HYDRIC SOILS | | X |
| HIGHLY ERODIBLE SOILS | | X |
| SLOPES OVER 15% | X | |
| 100 YEAR FLOODPLAIN | X | |
| RIPARIAN FOREST | X | |
| INTERIOR DWELLING BIRD HABITAT | | X |
| COLONIAL WATER BIRD NESTING SITE | | X |
| HISTORIC WATERFOWL STAGING AREA | | X |
| RARE, THREATENED OR ENDANGERED SPECIES | | X |
| NATURAL HERITAGE AREA | | X |
| ANADROMOUS FISH PROPAGATION WATERS | X | |
| SUBMERGED AQUATIC VEGETATION | X | |
| AREA OF SHORELINE EROSION | | X |



LEGEND

- BOUNDARY
- EX CONTOURS
- 100 YEAR FLOODPLAIN
- MEAN HIGH WATER LINE
- EX. TREE LINE
- STEEP SLOPE 15-25%
- STEEP SLOPE < 25%
- EX. RIPRAP
- 110 FT BUFFER
- NON-TIDAL WETLANDS
- TIDAL WETLANDS
- 25' BUFFER

APPROVED
TOWN OF NORTH EAST
DIRECTOR OF PLANNING

DATE

APPROVED
TOWN OF NORTH EAST
PLANNING COMMISSION

DATE

APPROVED
TOWN OF NORTH EAST
PLANNING COMMISSION CHAIRMAN

DATE

ENGINEER'S SEAL
DEC 19 2008

DATE
04/22/08

SCALE
1" = 30'

DESIGNED BY
ACS

DRAWN BY
JHS/JRS

DRAWING NO.
E03

SHEET
3 OF 3

FWA JOB NUMBER
2061068.00

REVISIONS

| REV# | DATE | DESCRIPTION |
|------|-------|------------------------------------|
| 1 | 10/07 | REVISED WETLANDS/TREES |
| 2 | 10/08 | ADDED AREA OF TIDAL WETLAND PLANTS |

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NORTH EAST, MD 21901
FIFTH ELECTION DISTRICT

CECIL COUNTY, MARYLAND

M:\PROJECTS\2061068\ENGR\PE03.DGN - JRS